

JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH,

FOR THE

FOURTH ANNUAL SESSION:

CONVENED AT GREAT SALT LAKE CITY, 1854-5.



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GREAT SALT LAKE CITY:

1855.

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THREE THOUSAND COPIES ORDERED PRINTED.

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GREAT SALT LAKE CITY.
1891

NAMES OF MEMBERS

OF THE LEGISLATIVE COUNCIL OF UTAH TERRITORY.

GREAT SALT LAKE COUNTY.

HEBER C. KIMBALL, ORSON PRATT,
DANIEL H. WELLS, WILFORD WOODRUFF,
ALBERT CARRINGTON.

UTAH COUNTY.

LEONARD E. HARRINGTON, AARON JOHNSON.

SAN PETE COUNTY—ISAAC MORLEY.

MILLARD COUNTY—JOHN A. RAY.

IRON COUNTY—GEORGE A. SMITH.

WEBER COUNTY.

LORIN FARR, ERASTUS BINGHAM.

DAVIS COUNTY—THOMAS S. SMITH.

OFFICERS OF THE LEGISLATIVE COUNCIL.

HEBER C. KIMBALL, President.

WILLIAM CLAYTON, Secretary.

ROBERT CAMPBELL, Assistant Secretary.

AARON F. FARR, Sergeant-at-Arms.

EDWARD P. DUZETTE, Doorkeeper.

JOSEPH W. YOUNG, Messenger.

WILLIAM JONES, Foreman.

SAMUEL ALGER, Chaplain.

STANDING COMMITTEES IN THE COUNCIL.

- On Printing—Orson Pratt, Albert Carrington.
 On Elections—George A. Smith, Daniel H. Wells.
 On Claims—Aaron Johnson, Thomas S. Smith.
 On Judiciary—George A. Smith, D. H. Wells, A. Carrington.
 On Public Works—Aaron Johnson, John A. Ray.
 On Incorporation—Leonard E. Harrington, Lorin Farr.
 On Appropriations and Expenditures—Orson Pratt, Erastus Bingham.
 On Militia—D. H. Wells, Thomas S. Smith.
 On Roads, Bridges, and Ferries—W. Woodruff, I. Morley, Lorin Farr.
 On Schools and Education—Orson Pratt, Wilford Woodruff.
 On Library—Wilford Woodruff, Geo. A. Smith.
 On Engrossing—Orson Pratt, John A. Ray.
 On Petitions—T. S. Smith, L. E. Harrington, Erastus Bingham.
 On Agriculture, Trade, and Manufactures—G. A. Smith, A. Carrington, D. H. Wells, Aaron Johnson.
 On Revenue—Wilford Woodruff, Isaac Morley, Lorin Farr.
 On Counties—Thos. S. Smith, John A. Ray, L. E. Harrington.

OFFICERS OF THE LEGISLATIVE COUNCIL.

HERBERT C. KIMBALL, President.
 WILLIAM CLAYTON, Secretary.
 ROBERT CAMPBELL, Assistant Secretary.
 AARON N. TAYLOR, Sergeant-at-Arms.
 EDWARD T. BENNETT, Doorkeeper.
 JOSEPH W. YOUNG, Messenger.
 WILLIAM JONES, Foreman.
 SAMUEL ALGER, Chaplain.

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF
UTAH TERRITORY.

COUNCIL CHAMBER, Monday, Dec. 11, 1854, }
10 A.M. }

The Council having been called to order by William Clayton, the former Assistant Secretary of the Council, the following gentlemen answered to their names, viz:—

GREAT SALT LAKE COUNTY—Heber C. Kimball, Daniel H. Wells, Orson Pratt, Wilford Woodruff, Albert Carrington.

UTAH COUNTY—Leonard E. Harrington, Aaron Johnson.

SAN PETE COUNTY—Isaac Morley.

MILLARD COUNTY—John A. Ray.

IRON COUNTY—George A. Smith.

WEBER COUNTY—Lorin Farr, Erastus Bingham.

DAVIS COUNTY—Thomas S. Smith.

The following members elect were then sworn by the Honorable Secretary A. W. Babbitt, viz:

Orson Pratt, Wilford Woodruff, and Albert Carrington for Great Salt Lake county.

John A. Ray for Millard county.

Erastus Bingham for Weber county.

The Council then proceeded to elect their officers, of which the following was the result:

HEBER C. KIMBALL, President; WILLIAM CLAYTON, Secretary;
ROBERT CAMPBELL, Assistant Secretary; AARON F. FARR, Sergeant-

at-Arms; EDWARD P. DUZETTE, Doorkeeper; JOSEPH W. YOUNG, Messenger; WILLIAM JONES, Foreman; SAMUEL ALGER, Chaplain.

On motion of Lorin Farr,

The Messenger was despatched to call in the absent officers elect, and on their arrival, the officers above mentioned were each severally sworn in due form.

The Council being thus organized, the business of the Council was opened with prayer by the Chaplain.

On motion of Albert Carrington,

Orson Pratt, George A. Smith and Daniel H. Wells were appointed a committee to notify the House that the Council is organized and ready for business.

A committee from the House, viz: W. W. Phelps and Evan M. Greene were announced, and informed the Council that the House was organized and ready for business.

On motion of Wilford Woodruff,

Messrs. Orson Pratt and Albert Carrington were appointed a committee on behalf of the Council to proceed conjointly with a committee from the House, to inform his Excellency the Governor that the two Houses are organized and ready to receive any message which he may be pleased to communicate, either at two o'clock this afternoon, or at any other time he may be pleased to appoint.

Messrs. J. W. Cummings, James Brown, and S. W. Richards, a committee from the House, were announced, and reported that they were appointed to proceed with a like committee from the Council, and wait upon his Excellency to notify him of the organization of the two houses.

The said committee having returned, reported that they had waited upon His Excellency the Governor, and he said, at 2 o'clock he should be ready to meet the two Houses in joint session, in the Representatives' Hall.

The President then appointed the following standing committees, viz:

On Printing—Orson Pratt, Albert Carrington.

On Elections—George A. Smith, Daniel H. Wells.

On Claims—Aaron Johnson, Thomas S. Smith.

On Judiciary—Geo. A. Smith, D. H. Wells, A. Carrington.

On Public Works—Aaron Johnson, John A. Ray.
On Incorporation—Leonard E. Harrington, Lorin Farr.
On Appropriations and Expenditures—Orson Pratt, Erastus Bingham.

On Militia—D. H. Wells, Thomas S. Smith.

On Roads, Bridges, and Ferries—W. Woodruff, I. Morley, Lorin Farr.

On Schools and Education—Orson Pratt, Wilford Woodruff.

On Library—Wilford Woodruff, Geo. A. Smith.

On Engrossing—Orson Pratt, John A. Ray.

On Petitions—T. S. Smith, L. E. Harrington, Erastus Bingham.

On Agriculture, Trade, and Manufactures—G. A. Smith, A. Carrington, D. H. Wells, Aaron Johnson.

On Revenue—Wilford Woodruff, Isaac Morley, Lorin Farr.

On Counties—Thos. S. Smith, John A. Ray, L. E. Harrington.

On motion, the Council adjourned till 1½ P.M.

1½ P.M.

Roll called, quorum present.

Prayer by the Chaplain.

On motion of O. Pratt,

It was resolved that 100 copies of the names of the members and officers, and standing committees of each House, also the daily minutes, be printed for the benefit of the members.

On motion of A. Carrington,

Resolved that Joseph Cain be appointed public printer.

On motion of G. A. Smith,

The Council adjourned to meet in Joint Session.

3 P.M.

On motion of D. H. Wells,

The freedom of the Council was extended to His Excellency the Governor, the Secretary, Judges of the Supreme Court, Attorney-General, and Marshal of the Territory; also Colonel Steptoe, Captain Ingalls, and Major Reynolds, of the U. S. Army; also, Mr. Orson Hyde and General C. C. Rich, during the present Session.

The minutes of the day were read and accepted.

On motion of Wilford Woodruff,

The Council adjourned till to-morrow at 10 A.M.

TUESDAY, December 12, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

On motion of Geo. A. Smith,

That portion of the Governor's Message which relates to the subject of education was referred to the committee on schools and education.

On motion of Geo. A. Smith,

The Secretary was requested to furnish each member of the Council with a copy of the Laws and Journals of the last session of the Legislative Assembly.

On motion of Geo. A. Smith,

The committee on Public Works were instructed to report the condition of the State House, and other public buildings now progressing in the Territory.

On motion of L. E. Harrington,

Adjourned till 2 P.M.

Benediction by the Chaplain.

2 P.M.

Roll called, quorum present.

On motion of L. E. Harrington,

Resolved, that the Secretary be requested to furnish each member and officer of the Council with the Deseret Almanac for the year 1855, and the volume of the Deseret News for the year 1855, including the latter part of the year 1854.

On motion of Geo. A. Smith,

Resolved, that the committee on roads, bridges, and ferries be requested to report on the condition and quality of roads and bridges for which appropriations have been made, also the amount expended thereon.

On motion of L. E. Harrington,
Minutes of the day were read and accepted.

On motion of G. A. Smith,
The Council adjourned till 10 o'clock A.M. to-morrow.
Benediction by the Chaplain.

WEDNESDAY, Dec. 13, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

The following communication was received from Hon. A. W. Babbitt, under date of the 12th:

"To the Hon. H. C. Kimball, President of Council:—In answer to the resolution of this day of your honorable body, relating to the furnishing of the Deseret Almanac and News, I have to reply, that in accordance with my instructions, I will with pleasure furnish to each member of your honorable body a copy of the Deseret News during the present Session; but cannot, I regret to add, according to those instructions, furnish the Deseret Almanac."

On motion of Wilford Woodruff,

The auditor of public accounts was requested to furnish the Council with his report.

On motion of Geo. A. Smith,

The committee on judiciary were instructed to report a bill for an act relating to vagrants.

On motion of Geo. A. Smith,

The committee on agriculture, trade and manufactures were instructed to report a bill for an act for the total suppression of the manufacture and sale of intoxicating liquors in the Territory of Utah.

On motion of John A. Ray,

The committee on revenue were instructed to report a bill making it obligatory upon some individual to prosecute assessors and collectors of taxes for neglect of duty.

Minutes of the forenoon were read and accepted.

On motion of Geo. A. Smith,
The Council adjourned till to-morrow at 10 A.M.
Benediction by the Chaplain.

THURSDAY, Dec. 14, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

W. Woodruff, on behalf of the committee on roads, bridges, and ferries, reported that they could not prepare their report until they were in possession of the auditor's report, and other necessary documents, and begged further time.

On motion of L. E. Harrington,

Further time was granted.

Thomas S. Smith presented,

Petition of Thomas Kington and 22 others, citizens of Weber county, praying to be attached to Davis county.

On motion of Wilford Woodruff,

The petition was received, and laid on the table to come up in its order.

Orson Pratt, on behalf of the committee on education, reported an act "In relation to the trustees of common schools."

On motion of Geo. A. Smith,

The report was received, and the bill laid on the table to come up in its order.

On motion of Geo. A. Smith,

The petition of Thomas Kington and 22 others was taken up for consideration.

On motion of O. Pratt,

The petition was referred to the committee on counties, and the members from Davis and Weber counties were added to said committee for the consideration of this subject.

Orson Pratt, on behalf of the committee on education, presented an act "In relation to the duties of county clerks concerning reports of school districts."

On motion of L. E. Harrington, the report concerning the bill was laid on the table to come up in its order.

Geo. A. Smith, on behalf of the committee on judiciary, presented the following report:

"Your committee, to whom was referred the subject of reporting a bill in relation to vagrants, are of opinion that the existing law is amply sufficient on this subject." [See Ordinance passed Feb. 10, 1851; approved Feb. 12, 1851. Page 142, Laws of 1852-3.]

On motion of A. Johnson,

The report was received, and the committee discharged from the further consideration of this subject.

On motion of Orson Pratt,

The auditor of public accounts was requested to furnish the Council with the reports of the secretary and treasurer of the University of this Territory, in relation to the funds and doings of the said University, in its several departments, during the years 1850-1-2-3-4.

On motion of Lorin Farr,

The Council adjourned till 2 P.M.

2 P.M.

Roll called; quorum present.

Thomas S. Smith presented

Petition of H. W. Miller and 114 others to extend the limits of Davis county.

On motion of Geo. A. Smith,

The petition was referred to the committee on counties, and the members from Weber and Davis counties were added to said committee for consideration of this petition.

On motion of Geo. A. Smith,

Wilford Woodruff was also added to said committee for consideration of said petition.

On motion of Geo. A. Smith,

No. 1 (C. F.), "An act in relation to the trustees of common schools;" was read the first time.

On motion of Wilford Woodruff,

No. 2 (C. F.), "An act in relation to the duties of county

clerks concerning reports of school districts," was read the first time.

Minutes of the day were read and accepted.

On motion of Geo. A. Smith,

Adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

FRIDAY, Dec. 15, 10 A. M.

Roll called; quorum present.

Prayer by the Chaplain.

Thomas S. Smith, on behalf of the committee on counties, presented the following report:

"The committee on counties—to whom was referred two petitions, one from Weber, and one from Davis, praying for an alteration of the line between those two counties, so as to embrace a portion of Weber county within the boundaries of Davis county—beg leave to report the following: "An act to alter the county line between Weber and Davis counties."

On motion of Geo. A. Smith,

The report was accepted, and the bill read the first time.

On motion of A. Johnson,

The bill was laid on the table indefinitely.

The minutes of the day were read and accepted.

On motion of Geo. A. Smith,

Adjourned till Monday next at 10 A. M.

Benediction by the Chaplain.

MONDAY, Dec. 18, 10 A. M.

Roll called; quorum present.

Prayer by the Chaplain.

The President notified the Council that the Secretary refuses to pay one of the officers of the Council, and it will be necessary to dismiss either the Doorkeeper or Sergeant-at-arms.

On motion of Orson Pratt,
The Doorkeeper was discharged.

Orson Pratt presented the following:

"Resolved, by the Governor and Legislative Assembly of the Territory of Utah, that inasmuch as the Secretary refuses to pay the Doorkeeper, he be honorably discharged, and that the Sergeant-at-Arms perform the duties of doorkeeper; and that the sum of twenty-one dollars be allowed the Doorkeeper, Edward P. Duzette, as payment for seven days' services, out of our own individual pockets."

On motion of Wilford Woodruff,
The resolution was adopted.

On motion of Geo. A. Smith,
The courtesy of a seat in the Council Chamber was granted to E. P. Duzette, during the present Session.

Orson Pratt, on behalf of the committee on education, reported
"An act concerning the establishment of branches of the University of Deseret."

On motion of Geo. A. Smith,
The report was accepted, and the bill laid on the table to come up in its order.

Geo. A. Smith, on behalf of the committee on agriculture, trade and manufactures, reported

"An act for the suppression of the sale of spirituous liquors."

On motion of A. Johnson,
The report was accepted, and the bill laid on the table to come up in its order.

On motion of O. Pratt,
No. 1 (C. F.), "An act in relation to the trustees of common schools," was taken up on its second reading.

The first section being read,

On motion of Geo. A. Smith,
The bill under consideration, together with No. 2 (C. F.), "An act in relation to the duties of county clerks concerning reports of school districts," and No. 4 (C. F.), "An act concerning the establishment of branches of the University of Deseret," were referred to the committee on education, who were instructed to consolidate

the whole into one bill, and thereby embrace the whole law on education in one act.

Geo. A. Smith moved,

That a committee of both Houses be appointed to select such laws or acts as are in force, and compile them in one volume;

Which was agreed to.

Lorin Farr presented the following

"Resolution in relation to compiling and arranging the laws of Utah Territory:

"Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah,—That a committee of one be appointed by the President of the Council to act with a committee from the House, to compile and arrange all the laws that are now in force, so as to agree with the laws that may be enacted during the present Session."

On motion of Geo. A. Smith,

Adjourned till 2 P. M.

2 P. M.

Roll called; quorum present.

ORSON PRATT, on behalf of the committee on schools and education, presented

"An act in relation to the University, academies and common schools," with a motion that the same be read the first time.

On motion of Lorin Farr,

The bill passed its first reading, and was laid on the table to come up in its order.

On motion of Orson Pratt,

The committee on public works were instructed to report a bill for the appointment of a warden or keeper of the territorial penitentiary.

Aaron Johnson, on behalf of the committee on public works, presented the following report:

"From the best information that we can get from the superintendent of public works, and other sources, there has been \$25,000 expended on the State House, at Fillmore city, one wing of which is now ready for the roof. It is believed by the superintendent and

principal workmen that the sum of \$3,000 will be required to complete and finish that portion of the building, and make it fit for use. The committee therefore recommend the passage of the following bill, entitled "An act authorizing D. H. Wells to draw moneys from the territorial treasury for the completion of that part of the State House now in progress at Fillmore city."

On motion of Geo. A. Smith,

No. 3 (C. F.), "An act to alter the county line between Weber and Davis counties," was re-called from the table.

Lorin Farr presented

"An act for taking a portion of Weber river into Davis county."

On motion of Geo. A. Smith,

The two bills were referred to the committee on counties, with instructions to prepare a bill embracing the alterations necessary in county lines, as far as at present known, at the earliest period convenient.

On motion of Orson Pratt,

No. 6 (C. F.), "An act in relation to the University, academies and common schools," was called up and put upon its second reading.

On the first section being read,

On motion of Albert Carrington,

The first section was stricken out of the bill.

While on the consideration of the above,

The auditor's report was received by the President, and read to the Council.

The report was accepted, and 100 copies ordered to be printed.

The minutes of the day were read and accepted.

On motion of L. E. Harrington,

Adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

TUESDAY, Dec. 19, 10 A. M.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Geo. A. Smith,
The committee on printing were instructed to proceed, and confer with the public printer in regard to some errors in the minutes of yesterday.

Aaron Johnson, on behalf of the committee on public works, reported

"An act creating and providing for the election of a warden or keeper of the penitentiary.

On motion of Lorin Farr,

The report was accepted, and the committee instructed to continue their labors on the subject.

The following message was received from the House:

The accompanying "Resolution in relation to revising and compiling the laws and acts of the previous legislatures," has this day passed the House, and is now respectfully submitted for your concurrence.

The resolution was read.

On motion of Geo. A. Smith,

The committee on printing were instructed to ascertain whether the Secretary will pay the attendant expenses of arranging and compiling the laws.

On motion of O. Pratt,

The committee on roads, bridges, and ferries, were instructed to inquire into the propriety of making Jordan Bridge a toll bridge, and also to inquire into the propriety of working some permanent road through the kanyons east to Weber river, and erecting a toll gate to help to cover the expenses thereof.

The minutes of the morning were read and accepted.

On motion of John A. Ray,

Adjourned till 2 P. M.

2 P. M.

Roll called; quorum present.

John A. Ray presented

Petition of N. B. Baldwin and Wm. R. Stowell for the right to a certain stone quarry, near Fillmore city, Millard county.

On motion of L. E. Harrington,
The petition was received, and referred to the committee on petitions.

The following message was received from the House:

"The accompanying bill, entitled 'An act attaching a portion of Davis county to Great Salt Lake county,' has this day passed the House, and is now respectfully submitted for your concurrence."

The bill was read, and,

On motion of L. E. Harrington,

The bill was referred to the committee on counties.

The following message was received from the House:

"The accompanying 'Resolution in relation to revising and compiling the laws and acts of the previous Legislatures,' has this day passed the House, and is now respectfully submitted for your concurrence."

The resolution was read.

On motion of Albert Carrington,

The resolution was not concurred in, and the following was presented by him as a substitute in lieu thereof:

"Resolution in relation to arranging and compiling the laws of Utah," which was read.

On motion of Orson Pratt,

The resolution was read the second time.

On motion of Wilford Woodruff,

The resolution was read the third time.

On motion of Geo. A. Smith,

The resolution was adopted.

The following messages were received from the House:

"The accompanying 'Resolution appropriating money to pay John Stiles for services rendered the House,' has this day passed the House, and is now respectfully submitted for your concurrence."

"The Council are respectfully requested to meet the House of Representatives in Joint Session, on Wednesday the 20th inst., at 2 P. M., to elect a warden for the Territorial Penitentiary, and such other officers as are necessary to be filled by joint vote of both Houses."

On motion of A. Carrington,

The "Resolution appropriating money to pay John Stiles for services rendered the House," was not concurred in.

On motion of A. Carrington,

The minutes of Council of yesterday morning in relation to appropriation to pay E. P. Duzette for service as Doorkeeper for the Council was amended by striking out the words "by the Governor and Legislative Assembly of the Territory of Utah," and substituting the words "by this Council," in lieu thereof.

On motion of Wilford Woodruff,

The Council concurred in the request of the House to meet in Joint Session, on Wednesday the 20th inst., at 2 P. M.

The minutes of the afternoon were read and accepted.

On motion of L. E. Harrington,

Adjourned till to-morrow at 10 A.M.

Benediction by the Chaplain.

THURSDAY, Dec. 21, 11 A.M.

On adjournment of the Joint Session, the Council assembled in their chamber.

The following message from the House, dated the 20th instant, was received and read:—

"The accompanying 'Act, granting James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers,' has this day passed the House of Representatives, and is now respectfully submitted for your concurrence."

The bill was read, and,

On motion of Lorin Farr,

Was referred to the committee on roads, bridges, and ferries.

A. Johnson, on behalf of the committee on the public works, reported "An act to regulate surveyors and surveying."

On motion of Lorin Farr,

The report was accepted, and the bill laid on the table to come up in its order.

The bill read in Joint Session, entitled, "An act for the construc-

tion, repairs, and preservation of fortifications in the Territory of Utah," was called up for consideration, and read.

On motion of L. E. Harrington,

The further consideration of the bill was postponed until 2 P.M.

The minutes of the morning were read and accepted.

On motion of Lorin Farr,

Adjourned till 2 P.M.

2 P.M.

Roll called; quorum present.

Council resumed the consideration of "An act for the construction and preservation of fortifications in the Territory of Utah."

On motion of Geo. A. Smith,

The Council resolved itself into a committee of the whole on that bill.

On the committee rising,

Geo. A. Smith, on behalf of the committee of the whole, reported that they had decided to lay the matter over until to-morrow morning, when, in Joint Session, the committee would move that the bill be referred to a joint committee on judiciary of both houses.

A. Johnson, on behalf of the committee on public works, to whom was committed the drafting of a bill relative to a warden for the Penitentiary, requested the privilege of withdrawing a bill reported to the Council by them, in consequence of there having been a committee appointed by the Joint Session of both Houses on that subject.

On motion of L. E. Harrington,

Leave was granted, and the bill withdrawn.

Geo. A. Smith called up, on its second reading,

(No. 5, C. F.) "An act for the suppression of the sale of spirituous liquors."

On motion of A. Carrington,

The bill was referred to the committee on judiciary.

On motion of A. Carrington,

(No. 6, C. F.) "Act in relation to the University, academies and common schools," was referred to the committee on schools and education, with instructions to confer with the like committee of the House, and prepare a general territorial school bill.

The minutes of the afternoon were read and accepted.

On motion of Albert Carrington,

Adjourned to meet in Representatives' Hall, in Joint Session, to-morrow, at 10 a.m.

Benediction by the Chaplain.

WEDNESDAY, Dec. 27, 2 P.M.

Roll called, quorum present.

Prayer by the Chaplain.

Wilford Woodruff, on behalf of committee to whom was referred

"An act granting to James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers, in Weber county,"

Reported back the bill with amendments.

On motion of Geo. A. Smith,

The bill with the amendments suggested was read the first time.

On motion of O. Pratt,

The amendments were adopted.

On motion of Orson Pratt,

The bill was read the second time.

On motion of Orson Pratt,

The bill passed by its title.

Orson Pratt, on behalf of the committee on schools and education, who were instructed to report a bill on territorial common schools, begged to be discharged from further consideration of that subject as a separate committee, the subject having been referred to a joint committee from both Houses.

On motion of L. E. Harrington,

The committee was discharged.

Thomas S. Smith, on behalf of the committee on counties, to whom was referred

(No. 3, H. F.) "An act attaching a portion of Davis county to Great Salt Lake county,"

Reported back the bill, with the following as a substitute:

"An act to attach a portion of Davis county to Great Salt Lake county, also to attach a portion of Weber county to Davis county."

The minutes of the afternoon were read and accepted.

On motion of Wilford Woodruff,
Adjourned to meet in Joint Session, at 10 o'clock A. M.
Benediction by the Chaplain.

FRIDAY, Dec. 29, 10 A. M.

Roll called, quorum present.

Prayer by the Chaplain.

On motion of Geo. A. Smith,

The committee on the judiciary were instructed to report a bill in regard to assigning the United States Judges to their several districts.

J. W. Cummings, a committee from the House, appeared and stated that the House had delegated him to enquire if the Council would concur with the House in adjourning till Wednesday morning, January 3rd, 1855, at 10 A.M.

On motion of Geo. A. Smith,

The Council concurred in the request for adjournment.

The following message was received from the House, under date of the 28th:—

"I have the honor to inform you that the House of Representatives have concurred in your amendments to the "Act granting unto James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers."

On motion of A. Johnson,

The bill entitled,

"An act to attach a portion of Davis county to Great Salt Lake county, also to attach a portion of Weber county to Davis county," was referred to a select committee, to consist of the members of the Council and House of Representatives from Davis and Weber counties.

On motion of Geo. A. Smith,

The minutes of the morning were read and accepted.

On motion of G. A. Smith,
Adjourned till Wednesday, January 3rd, 1855, at 10 A.M.
Benediction by the Chaplain.

WEDNESDAY, Jan. 3, 1855, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

On motion of Geo. A. Smith,

The committee on elections were instructed to enquire into the apportionment of the members of the Legislative Assembly, and report whether any alteration be necessary previous to the election of 1855.

On motion of Orson Pratt,

The committee on judiciary were instructed to examine the acts in relation to writs of attachments, and, if necessary, report a bill upon that subject.

The minutes of the morning were read and accepted.

On motion of Geo. A. Smith

Adjourned till to-morrow, at 10 A. M.

Benediction by the Chaplain.

THURSDAY, Jan. 4, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

Wilford Woodruff, on behalf of the committee to whom was referred the subject of reporting upon the condition of roads and

bridges, and expenditures upon the same, in this Territory, presented the following report:—

“There has been expended out of the Territorial Treasury during the past year,

On account of Jordan Bridge	\$1169 99
„ Ogden and Weber roads and bridges	1250 00
„ Coal Creek Canyon road	2418 42

Making a total of moneys expended upon roads and bridges of	\$4838 41
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“The committee have no references whereby they can obtain correct information concerning the present state of the roads and bridges throughout the Territory, but would represent that the road is in very bad condition between the warm and hot springs in Great Salt Lake City. Also, the road needs repairs on the north side of Ogden and south side of Weber rivers in Weber county, and would recommend the Council to take into consideration the propriety of making an appropriation for the improvement of said roads.”

On motion of Lorin Farr,

The report was accepted.

The following message was received from the House:—

“The Council are requested to meet the House of Representatives in Joint Session this day, at 2 p.m., to take into consideration ‘An act for the construction, repairs, and preservation of fortifications in the Territory of Utah.’ ”

Geo. A. Smith, chairman of joint committee, to whom was referred the above bill, reported that they had the said bill under consideration, but had not yet completed it, consequently were not ready to report to the Joint Session.

On motion of Lorin Farr,

The request of the House for Joint Session was respectfully not concurred in, on the ground that the joint committee are not prepared to report on the subject.

A. Carrington presented,
Resolution assigning the "United States Judges for Utah to the
several judicial districts."

On motion of Lorin Farr,
The resolution was adopted.
The minutes of the morning were read and accepted.

On motion of Geo. A. Smith,
Adjourned till to-morrow at 10 A. M.
Benediction by the Chaplain.

FRIDAY, January 5, 10 A.M.

Roll called, quorum present,
Prayer by the Chaplain.

Thomas S. Smith presented the following report:
"The committee on petitions, to whom was referred the petition
of Nathan B. Baldwin and William R. R. Stowell, of Millard county,
for the privilege of a stone quarry in said county, would report that
they consider legislation thereon unnecessary."

On motion of O. Pratt,
The report was received, and the committee discharged from
further duties on that subject.

Geo. A. Smith, on behalf of the joint committee on judiciary, re-
ported

"An act concerning fortifications."

On motion of D. H. Wells,
The report was received, and fifty copies ordered to be printed
forthwith.

The oldest bill on the table being called for,
(No. 7, C. F.) "An act authorizing D. H. Wells to draw moneys
from the Territorial Treasury for the completion of that portion of
State House now in progression at Fillmore City,"

Was taken up on its first reading.
Aaron Johnson, the presenter of said bill, asked leave to with-
draw the same.

On motion of A. Carrington,
Leave was granted, and the bill was withdrawn.

(No. 9, C. F.) "A bill to regulate county surveyors and surveying."

Was called up, and read the first time.

On motion of O. Pratt,

The bill was taken up on its second reading.

On motion of D. H. Wells,

The word "provided," and all that part of the first section after the word "provided," were stricken out.

On motion of Orson Pratt,

All the first section of said bill, with the exception of the enacting clause was stricken out, and the following words inserted as a substitute:

"That the county surveyors shall transmit to their successors in office true copies of all books, records, plots and papers of all their surveys in their respective counties."

On motion of Lorin Farr,

The bill was referred back to the committee on public works,

The President adding Orson Pratt to said committee for the consideration of that bill.

D. H. Wells presented,

"Resolution in relation to Green River county," which was read.

On motion of Wilford Woodruff,

The resolution was adopted.

On motion of A. Carrington,

The House was requested to meet in Joint Session to-morrow, at 10 A. M.

The President presented,

Petition of O. Hyde for renewal of a charter to Green river ferry.

On motion of L. E. Harrington,

The petition was referred to the committee on roads, bridges, and ferries.

The minutes of the morning were read and accepted.

On motion of A. Carrington,

Adjourned till to-morrow morning at 10 A. M.

Benediction by the Chaplain.

SATURDAY, January 8, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

The following messages were received from the House, under date of the 5th inst.:—

"The House of Representatives have this day concurred in the 'Resolution assigning the United States Judges for Utah to the several judicial districts.' "

"The Council are respectfully informed that the House of Representatives have concurred in the wish of the Council for a Joint Session to-morrow, at 10 A.M."

• On motion of T. S. Smith,

Adjourned to Representatives' Hall for Joint Session.

TUESDAY, JAN. 9, 10 A.M.

Roll called, quorum present.

Prayer by the Chaplain.

The following message was received from the House, under date of January 5th:—

"The accompanying 'Act to amend city charters in the Territory of Utah,' has this day passed the House of Representatives, and is respectfully submitted for your concurrence."

On motion of D. H. Wells,

The bill was referred to the committee on incorporations.

T. S. Smith, on behalf of the committee to whom was referred "Memorial of George Peacock, probate judge of San Pete county," reported

"An act in relation to the delinquent territorial taxes of San Pete county, Utah Territory."

On motion of L. E. Harrington,

The report was received, and the bill laid on the table to come up in its order.

Wilford Woodruff presented,

"An act in relation to gifts and donations."

On motion of A. Carrington,

The bill was received, and referred to the code commission.

The following message was received from the House:—

"The Council are respectfully requested to meet the House of Representatives in Joint Session, on Thursday next, at 10 A. M., to take into consideration "the claim of Thomas S. Williams," and "A bill for the regulation and government of the Penitentiary."

On motion of D. H. Wells,

The Council concurred in the request of the House for Joint Session, and the House were notified accordingly.

Orson Pratt presented

Resolution specifying the times of holding United States courts in the several judicial districts."

On motion of Orson Pratt,

The bill was laid on the table to come up in its order.

The oldest bill being called for,

"An act in relation to the delinquent territorial taxes of San Pete county, Utah Territory,"

Was taken up, and read the first time.

On motion of Wilford Woodruff,

The bill was read the second time.

On motion of Lorin Farr,

The bill passed by its title,

Eight voting in the affirmative, four voting in the negative.

The minutes of the day were read and accepted.

On motion of Geo. A. Smith,

Adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

WEDNESDAY, Jan. 10, 10 A. M.

Roll called, quorum present.

Prayer by the Chaplain.

Wilford Woodruff, on behalf of the committee on roads, bridges, and ferries, reported

"An act granting unto Orson Hyde the right to erect ferries across Green river, and to control the same."

On motion of L. E. Harrington,

The bill was laid on the table indefinitely.

The oldest bill being called for,
 "Resolution specifying the times of holding United States courts
 in the several judicial districts,"

Was taken up, and read the first time.

On motion of L. E. Harrington,
 The bill was read the second time.

On motion of L. E. Harrington,
 The bill passed by its title.

"An act relating to the duties of county surveyors,"
 Was next taken up, and read the first time.

On motion of L. E. Harrington,
 The bill was read the second time.

On motion of A. Johnson,
 The bill passed by its title.

The minutes of the morning were read and accepted.

On motion of A. Carrington,

Adjourned till to-morrow at 9½ A. M.

Benediction by the Chaplain.

THURSDAY, Jan. 11, 10 A. M.

Roll called, quorum present.

Prayer by the Chaplain.

L. E. Harrington, on behalf of the committee on incorporations,
 to whom was referred

"An act to amend the charters of Great Salt Lake, Ogden,
 Provo, Manti, and Parowan cities,"

Reported that they recommend a concurrence with said act.

On motion of A. Johnson,

The report was received, and the bill concurred in.

On motion of Orson Pratt,

Adjourned to meet in Joint Session.

MONDAY, Jan. 15—3½ P. M.

On adjournment of Joint Session.

Council met in their Chamber.

The following communication from the House, dated Jan. 10, was read:

"I have to inform you that your 'Resolution relating to Green River county,' is not concurred in."

"And your 'Act in relation to the delinquent territorial taxes of San Pete county,' has been amended by striking out the words 'any public road and bridges,' and inserting in their stead 'the county road between Manti and Nephi cities,' also the words 'due the Territory' in the third line, are stricken out as tautology. Do you concur in the above alterations?"

"I also send you 'Resolution in relation to the territorial road in G. S. L. City.'"

"Also, 'An act to locate a territorial road from Utah valley to Black's Fork, in Green River county.'"

"Also, 'An act altering and defining the boundary line between Juab and San Pete counties.'"

On motion of L. E. Harrington,

The Council concurred with the amendments of the House on the 'Act in relation to the delinquent territorial taxes of San Pete county.'

The "Resolution in relation to the territorial road in Great Salt Lake City," was read the first time.

On motion of L. E. Harrington,

The resolution was referred to the committee on appropriations.

"An act to locate a territorial road from Utah valley to Black's Fork, in Green River county," was read the first time.

On motion of Wilford Woodruff,

The bill was read the second time.

On motion of Geo. A. Smith,

The bill was referred to A. Johnson and L. E. Harrington as a special committee.

"An act altering and defining the boundary line between Juab and San Pete counties," was read the first time.

On motion of G. A. Smith,

The bill was read the second time.

On motion of Lorin Farr,

The bill was concurred in.

The minutes being called for, were read and accepted.

-On motion of I. Morley,

Adjourned till to-morrow morning at 10.

Benediction by the Chaplain.

TUESDAY, Jan. 16, 10 A. M.

Roll called, quorum present.

Prayer by the Chaplain.

In consequence of the President's sickness,

On motion of O. Pratt,

Geo. A. Smith was elected President pro tem.

Orson Pratt, on behalf of the committee on appropriations, to whom was referred the resolution of the House in "Relation to the Territorial Road, in Great Salt Lake City," reported back the resolution with this amendment, that all after the word "road," in the third line of Sec. 2, be stricken out as unnecessary.

On motion of John A. Ray,

The report was accepted, and the resolution laid on the table to come up in its order.

No other business being presented,

On motion of L. E. Harrington,

The "Resolution in relation to the Territorial Road, in Great Salt Lake City," was taken up, and read the first time as amended.

On motion of Lorin Farr,

The resolution was read the second time.

On motion of Lorin Farr,

The phraseology was amended.

On motion of Orson Pratt,

The bill was read the third time.

On motion of L. E. Harrington,

The resolution was adopted as amended.

A. Johnson, on behalf of the special committee, to whom was referred the bill from the House, to locate a "Territorial Road from Utah Valley to Black's Fork," in Green River county, reported back the bill, and recommended a concurrence therewith.

On motion of Orson Pratt,
The bill was not concurred in.

On motion of John A. Ray,

The committee on incorporations were instructed to report a bill incorporating a company to open a road through Provo kanyon to Kamas prairie, to continue on to Black's Fork, near Green river; also a company to open a road from Great Salt Lake Valley, up Big kanyon, to the Kamas prairie; and another company to open a road up the Weber kanyon, to the present ford on Weber river.

The President added Wilford Woodruff to said committee.

On motion of Lorin Farr,

The House of Representatives were invited to meet with the Council in Joint Session, in their chamber, to-morrow the 17th inst., at ten o'clock a. m.

The minutes of the morning were read and accepted.

On motion of Thomas S. Smith,

Adjourned till to-morrow at 10 o'clock a. m.

Benediction by the Chaplain.

OFFICERS OF THE HOUSE

JEREMIAH M. GRANT, Speaker

THOMAS DULLOCK, Chief Clerk

LEO HAWKINS, Assistant Clerk

ROBERT T. BURTON, Sergeant at arms

JOHN STILES, Doorkeeper

GEO. Q. CANNON, Messenger

ALBA SHERMAN, Foreman

DANIEL CARR, Chaplain

On motion of Oliver Pratt, the bill was not concurred in.

On motion of John A. Day, the committee on incorporations were instructed to report a bill incorporating a company to open a road through Provo Canyon to Kanab, to continue on to Black's Fork, near the river, and a company to open a road from Great Salt Lake Valley, up to the Kanab river; and another company to open a road up the Weber Canyon, to the present land on Weber river.

The President called Willard Woodard to read committee.

On motion of Oliver Pratt, the House of Representatives were invited to meet with the Council in their chamber, to-morrow the 13th inst.

At 10 o'clock a. m. the minutes of the morning were read and accepted.

On motion of Thomas S. Smith, the House adjourned till to-morrow at 10 o'clock a. m.

Resolution by the Chairman.

Resolved, that the committee on the petition of the people of the Territory of Utah, for a road from Provo Canyon to Kanab, be and they are hereby authorized to report a bill incorporating a company to open a road from Provo Canyon to Kanab, to continue on to Black's Fork, near the river, and a company to open a road from Great Salt Lake Valley, up to the Kanab river; and another company to open a road up the Weber Canyon, to the present land on Weber river.

On motion of Oliver Pratt, the bill was not concurred in.

On motion of John A. Day, the committee on incorporations were instructed to report a bill incorporating a company to open a road through Provo Canyon to Kanab, to continue on to Black's Fork, near the river, and a company to open a road from Great Salt Lake Valley, up to the Kanab river; and another company to open a road up the Weber Canyon, to the present land on Weber river.

The President called Willard Woodard to read committee.

On motion of Oliver Pratt, the House of Representatives were invited to meet with the Council in their chamber, to-morrow the 13th inst.

At 10 o'clock a. m. the minutes of the morning were read and accepted.

On motion of Thomas S. Smith, the House adjourned till to-morrow at 10 o'clock a. m.

Resolution by the Chairman.

Resolved, that the committee on the petition of the people of the Territory of Utah, for a road from Provo Canyon to Kanab, be and they are hereby authorized to report a bill incorporating a company to open a road from Provo Canyon to Kanab, to continue on to Black's Fork, near the river, and a company to open a road from Great Salt Lake Valley, up to the Kanab river; and another company to open a road up the Weber Canyon, to the present land on Weber river.

NAMES OF MEMBERS

STANDING COMMITTEES IN THE HOUSE
OF THE

HOUSE OF REPRESENTATIVES OF UTAH TERRITORY.

FROM GREAT SALT LAKE COUNTY.
JEDEDIAH M. GRANT, JOHN L. SMITH,
WILLIAM W. PHELPS, JOSEPH YOUNG,
JAMES W. CUMMINGS, LORENZO SNOW,
A. P. ROCKWOOD, HOSEA STOUT,
SAMUEL W. RICHARDS, HORACE S. ELDREDGE,
JAMES C. SNOW, EVAN M. GREENE,
DUNCAN McARTHUR,
IRON COUNTY.
RICHARD HARRISON, WM. H. DAME,
TOOELE COUNTY.
EZRA T. BENSON,
GREEN RIVER COUNTY.
JOHN NEBEKER,
WEBER COUNTY.
JONATHAN C. WRIGHT, JAMES BROWN,
THOMAS DUNN,
DAVIS COUNTY.
THOMAS GROVER, CHESTER LOWELL,

OFFICERS OF THE HOUSE.

JEDEDIAH M. GRANT, Speaker.
THOMAS BULLOCK, Chief Clerk.
LEO HAWKINS, Assistant Clerk.
ROBERT T. BURTON, Sergeant-at-arms.
JOHN STILES, Doorkeeper.
GEO. Q. CANNON, Messenger.
ALBA SHERMAN, Foreman.
DANIEL CARN, Chaplain.

STANDING COMMITTEES IN THE HOUSE

Ezra T. Benson, Duncan McArthur, Richard Harrison, James C. Snow, James Brown—on Agriculture, Trade, and Manufactures.

William W. Phelps, Samuel W. Richards, John L. Smith—on Education.

Ezra T. Benson, Timothy B. Foote, Jonathan C. Wright—on Indian Affairs.

James Brown, Horace S. Eldredge, Chester Loveland—on Roads, Bridges and Ferries.

Horace S. Eldredge, A. P. Rockwood, William H. Dame—on Military Affairs.

Lorenzo Snow, Evan M. Greene, Hosea Stout—on Judiciary.

Samuel W. Richards, James W. Cummings, Joseph Young—on Engrossing and Public Printing.

Jonathan C. Wright, George Peacock, John L. Smith—on Corporations.

Ezra T. Benson, Hosea Stout, Edwin D. Woolley—on Appropriations.

William H. Dame, James C. Snow, John Nebeker—on Elections.

James W. Cummings, Timothy B. Foote, Thomas Dunn—on Revenue.

A. P. Rockwood, John Carling, Thomas Grover—on Counties.

Edwin D. Woolley, Jonathan C. Wright, John Nebeker—on Claims.

John Nebeker, Richard Harrison, Thomas Grover—on Public Works.

Lorenzo Snow, W. W. Phelps, Evan M. Greene—on Petitions and Memorials.

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
UTAH TERRITORY.

, REPRESENTATIVES' HALL, Monday,
Dec. 11, 1854, 10 A. M. }

The House was called to order at 10 A. M., by Mr. Bullock, the Chief Clerk of the former House, when he called the roll of the members elect.

A quorum was present—the following members answering to their names:

GREAT SALT LAKE COUNTY.—Jedediah M. Grant, Wm. W. Phelps, James W. Cummings, A. P. Rockwood, Samuel W. Richards, John L. Smith, Joseph Young, Lorenzo Snow, Hosea Stout, Horace S. Eldredge.

UTAH COUNTY.—James C. Snow, Evan M. Greene, Duncan McArthur.

JUAB COUNTY.—Timothy B. Foote.

SAN PETE COUNTY.—George Peacock.

MILLARD COUNTY.—John Carling.

IRON COUNTY.—Richard Harrison, William H. Dame.

TOOELE COUNTY.—Ezra T. Benson.

GREEN RIVER COUNTY.—John Nebeker.

WEBER COUNTY.—Jonathan C. Wright, James Brown, Thomas Dunn.

DAVIS COUNTY.—Thomas Grover, Chester Loveland.

On motion of Mr. Rockwood,

The Hon. J. M. Grant was appointed Speaker pro tem

Mr. Rockwood moved,

That the Speaker pro tem. appoint a committee of three to examine credentials of members.

Whereupon the Speaker appointed Messrs. A. P. Rockwood Jonathan C. Wright, and Richard Harrison said committee, who immediately proceeded to their duty, and after a recess of ten minutes, reported that all the members elect were present, and that they were satisfied with their credentials.

Mr. Smith moved,

That the members of the House be now qualified.

Hon. Secretary Babbitt, by request of the Speaker, then administered the necessary oath to the members, whose names are recorded above, by counties.

The Speaker then called upon the Chaplain to open by prayer.

On motion of Mr. Phelps,

That we now elect our officers,

The following officers were then severally elected by the unanimous vote of the House, viz:

JEDEDIAH M. GRANT, Speaker; THOMAS BULLOCK, Chief Clerk; LEO HAWKINS, Assistant Clerk; ROBERT T. BURTON, Sergeant-at-arms; JOHN STILES, Doorkeeper; GEORGE Q. CANNON, Messenger; ALBA SHERMAN, Foreman; DANIEL CARN, Chaplain.

Hon. Secretary Babbitt then administered the usual oath to the Speaker, the Clerks, the Sergeant-at-arms, the Messenger, and the Doorkeeper.

Councilors Orson Pratt, Geo. A. Smith, and D. H. Wells came as a committee from the Council, to notify the House that the Council was organized and ready for business.

On motion of Mr. Phelps,

A committee of two was appointed to wait upon the Council, and inform them that the House was organized and ready for business, viz: Messrs. Phelps and Greene, who proceeded to the execution of their duty.

The committee returned, and Mr. Phelps reported that they had informed the Council that the House was now organized and ready for business.

On motion of Mr. Cummings,

A committee of three was appointed to act jointly with a com-

Resolved, that Joseph Cain be appointed public printer.
 mittee from the Council, to wait upon His Excellency the Governor, and inform him that both Houses are now organized, and ready for any communication he may please to make to them; Messrs. Cummings, Brown, and Richards being said committee.

Said committee returned, and Mr. Cummings reported that they had, in conjunction with a like committee from the Council, waited upon his Excellency according to instructions, and that he will meet us in Joint Session this afternoon, at two o'clock.

On motion of Mr. Rockwood,

The freedom of this Hall was tendered to the United States civil officers now residing in this city; and notices were sent accordingly.

On motion of Mr. Phelps,

The Secretary was requested to furnish the members of this House with the laws and journals of the last and previous sessions.

On motion of Mr. Rockwood,

The rules of last session were read, when the 5th paragraph of the 9th section was changed to the first.

On motion of Mr. Harrison,

The rules were adopted for this session.

On motion of Mr. Phelps,

The House adjourned till 2 o'clock.

Benediction by the Chaplain.

2 P. M.

Roll called; quorum present.

The Sergeant-at-arms was instructed to notify the Council that the House was ready to receive them in Joint Session.

In the course of a few minutes, the President and members of the Council appeared, and the two Houses went into Joint Session.

On Joint Session adjourning, the House resumed its sitting.

The following message from the Council was then read, viz:

"Hon. J. M. Grant:—I have the honor to inform you that the Council have passed the following resolutions, and request the concurrence of the House therein, viz:

Resolved, that 100 copies of the names of the members and officers, together with the standing committees of each House; also the daily minutes of each House, be printed for the benefit of the members and officers.

Resolved, that Joseph Cain be appointed public printer."

On motion of Mr. Wright,

The House concurred with the first resolution.

On motion of Mr. Smith,

The House concurred with the second resolution.

On motion of Mr. Benson,

100 copies of the rules of this House, with the names of the members and officers, were ordered to be printed.

On motion of Mr. Rockwood,

The rules were so amended that the minutes be read every evening, instead of the following morning.

On motion of Mr. Benson,

The House adjourned till to-morrow morning at 10.

TUESDAY, December 12, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

Prayer by the Chaplain.

Minutes of 11th inst. read, and on motion of Mr. John L. Smith, accepted.

The Speaker then returned thanks for the confidence reposed in him, by the House, in appointing him Speaker, and proceeded to appoint the standing committees, as follows:

Ezra T. Benson, Duncan McArthur, Richard Harrison, James C. Snow, James Brown—on Agriculture, Trade, and Manufactures.

William W. Phelps, Samuel W. Richards, John L. Smith—on Education.

Ezra T. Benson, Timothy B. Foote, Jonathan C. Wright—on Indian Affairs.

James Brown, Horace S. Eldredge, Chester Loveland, on Roads, Bridges and Ferries.

Horace S. Eldredge, A. P. Rockwood, Wm. H. Dame—on Military Affairs.

Lorenzo Snow, Evan M. Greene, Hosea Stout—on Judiciary.

Samuel W. Richards, James W. Cummings, Joseph Young—on Engrossing and Public Printing.

Jonathan C. Wright, George Peacock, John L. Smith—on Corporations.

Ezra T. Benson, Hosea Stout, Edwin D. Woolley—on Appropriations.

Wm. H. Dame, James C. Snow, John Nebeker—on Elections.

James W. Cummings, Timothy B. Foote, Thomas Dunn—on Revenue.

A. P. Rockwood, John Carling, Thomas Grover—on Counties.

Edwin D. Woolley, Jonathan C. Wright, John Nebeker—on Claims.

John Nebeker, Richard Harrison, Thomas Grover—on Public Works.

Lorenzo Snow, W. W. Phelps, Evan M. Greene—on Petitions and Memorials.

On motion of Mr. Phelps,

The Speaker referred the several subjects contained in the Governor's Message to their appropriate committees.

His Excellency being present, exhorted the members to a faithful performance of their duty.

The minutes were then read, and

On motion of Mr. Stout, accepted.

On motion of Mr. Phelps,

The House adjourned till to-morrow at 10 A. M., to give the several committees time to prepare business for the House.

Benediction by the Chaplain.

WEDNESDAY, Decr 13, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and all present.

Prayer by the Chaplain.

On motion of Mr. Stout,

The freedom of the House was tendered to Mr. Orson Hyde and

Gen. C. C. Rich, also Col. Steptoe, Major Reynolds, and Captain Ingalls, of the United States Army, and notices sent to them, not heretofore notified.

On motion of Mr. J. L. Smith,

It was ordered that a note be addressed to the auditor of public accounts, requesting him to furnish the House with his report.

On motion of Mr. J. L. Smith,

The auditor of public accounts was requested to furnish the House with a copy of the report of the secretary and treasurer of the University of Deseret.

Mr. Peacock presented

A petition from Gardner Snow, and 99 others, praying for an appropriation for working the road in Salt Creek canyon, in Juab and San Pete counties.

On motion of Mr. J. C. Snow,

Said petition was received, and referred to the committee on roads, bridges and ferries.

Mr. J. C. Snow requested the privilege of presenting a bill, at 2 p. m., for the regulation of county surveyors, which,

On motion of Mr. Dame, was granted.

Mr. Brown requested the privilege of presenting a bill, at 2 p. m., to extend the charter of Weber and Ogden river bridges, which,

On motion of Mr. Richards, was granted.

Mr. Benson, chairman of the committee on Indian affairs, reported progress, and asked further time.

Mr. Dame, chairman of the committee on elections, presented the following report:

"Your committee, having examined "An act regulating elections," do not feel to make any amendment or alterations therein, unless by reference of your honorable body."

On motion of Mr. J. C. Snow,

Said report was received.

Mr. Rockwood moved,

That the auditor of public accounts be requested to furnish this House with a copy of the statements lodged in his office in relation to the raising of flag, &c., as contemplated in the 4th section of "a

resolution to encourage the raising of flax and hemp. Approved
Jan. 13, 1854.

On motion of Mr. Spout,

The committee on revenue was instructed to inquire as to the defects of the revenue laws, in relation to the penalty required against delinquent collectors, and amending the revenue laws, and making it the duty of the proper officer to prosecute such delinquents.

Mr. Benson, chairman of the committee on Indian affairs, presented a report and bill, which was read, and,

On motion of Mr. Cummings,

The reported was accepted, and the bill laid on the table to come up in its order.

On motion of Mr. J. C. Snow,

The secretary was requested to furnish the members and officers of this House with a volume of the Deseret News, commencing with the present Session.

On motion of Mr. J. L. Smith,

A note was ordered to be addressed to the Governor, requesting him to furnish this House with a copy of the last annual report of the adjutant general on the state of the military.

Mr. Phelps, chairman of the committee on education, presented the following report:—

"The committee on education report, that upon viewing the laws and prospects of education in this city, and from recent representation in all parts of the Territory, it will become indispensably necessary to make an entire new law for the benefit of common schools in our now flourishing Territory; to accomplish which, will require much research and labor, and considerable time. Your committee, therefore, would ask the indulgence of this House for a space of time suitable to the occasion—say ten days: The subject of education, among the chief objects to which the fostering care of this Legislative Assembly is especially directed by His Excellency the Governor, is, above all others, of vital importance to the present population of Utah, and especially to capitalists, who have already signed an intention to litigate, rather than pay for houses and schools. Give us time to meet the emergency."

On motion of Mr. Greene,
Said report was received, and the time asked for, granted.

The Speaker instructed the committee on roads, bridges and ferries to investigate the condition of the Territorial roads, particularly through the marsh, near the hot spring, in the north part of Great Salt Lake City.

Mr. Stout moved,
"That the Territorial Road Commissioner be instructed to report to this House, his doings of the past year, and the condition of the Territorial roads."

Seconded and carried.

Mr. Rockwood moved,
"That Col. Hiram B. Clawson be requested to furnish the House with a statement of the condition and progress of the enclosure and the buildings thereon, as contemplated in 'An act in relation to the militia. Approved June 1, 1853.'

"Also the amount collected on donations since the last report; as also the amount due on donations, if any."

Seconded and carried.

The minutes being called for, were then read, and

On motion of Mr. Stout, accepted.

On motion of Mr. Phelps,

The House adjourned till 2 p. m.

Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Mr. J. C. Snow, pursuant to notice, presented a bill "for the regulation of county surveyors," which was read, and

On motion of Mr. Cummings,

Said bill was received, and laid on the table to come up in its order.

Mr. Brown, pursuant to notice, presented a bill for "an act to extend the charter granted to James Brown, of Ogden city, to erect bridges across Weber and Ogden rivers, which was read, and,

On motion of Mr. J. L. Smith,

Said bill was received, and laid on the table to come up in its order.

Mr. Rockwood moved,

That the oldest bill on the table be now taken up.

Mr. Benson the presenter of that bill not being present—

The "bill for the regulation of county surveyors" was then taken up, and read the first time, and

On motion of Mr. J. C. Snow,

Was referred to the committee on judiciary.

The bill entitled,

"An act to extend the charter granted to James Brown, of Ogden city, to erect bridges across Weber and Ogden rivers," was taken up, and read the first time.

On motion of Mr. Stout,

Said bill passed its first reading, and was ordered to be read the second time.

On motion of Mr. Greene,

Said bill was referred to the committee on roads, bridges and ferries.

The resolution of Mr. Benson, in relation to Indian affairs, was then taken up, and,

On motion of Mr. Phelps,

Said bill was referred back to the committee on Indian affairs.

The minutes being called for, were then read, and,

On motion of Mr. Wright, were accepted.

On motion of Mr. Phelps,

Adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

THURSDAY, Dec. 14, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

Mr. S. W. Richards, chairman of the committee on engraving and public printing, presented the following report:

"Said committee beg leave to report to the House that Mr. Joseph Cain has reported to them his acceptance of the appointment of public printer for the present Legislature."

On motion of Mr. Phelps,

Said report was accepted.

Mr. Woolley presented the following resolution:

"Resolved, that the Secretary be requested to furnish the members and officers of this House, each, with a copy of the Globe, during the present sitting of Congress (or some other paper) by which we may be informed of the proceedings of that honorable body during the present Session;" which was read, and,

On motion of Mr. Phelps,

Said resolution was received.

On motion of Mr. Phelps,

Said resolution was read the first time.

On motion of Mr. Benson,

Said resolution passed its first reading.

Said resolution was then read the second time; and,

On motion of Mr. Benson,

Said resolution was amended, so as to read—

"Resolved, that the Secretary of the Territory be requested to furnish the members and officers of this House, each, with a copy of the Globe, or some other Washington paper, authorized by Congress to publish their proceedings, during the present Session, that we may be informed of the doings of that honorable body."

On motion of Mr. Phelps,

Said resolution passed its second reading as amended.

Said resolution was then read the third time; and,

On motion of Mr. Stout, passed its third reading.

The minutes being called for, were then read, and

On motion of Mr. L. Snow, accepted.

On motion of Mr. Brown,

The House adjourned till 2 P. M.

Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Mr. Rockwood moved,

"That a note be addressed to Lieutenant General Daniel H. Wells, commander of the Nauvoo Legion, requesting him to report to the House the condition and prospect of the military school, which was contemplated in the 4th section of 'An act in relation to the militia.

Approved Dec. 23, 1852.'"

Seconded and carried; which was accordingly done.

Mr. Brown, chairman of the committee on roads, bridges and ferries, presented the following report:

"We, the committee on roads, bridges, and ferries, have taken into consideration the petition from San Pete county, praying for an appropriation, to lay out on the road in Salt Creek Canyon, leading from Manti, in San Pete county, to Juab county. We have made all the inquiry necessary to inform our minds on the subject, and are unfavorable to making any appropriation for the same."

On motion of Mr. J. L. Smith,

The report was received, and the committee discharged from further duties on that subject.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported a bill entitled "An act granting James Brown, sen., the right to erect bridges across Weber and Ogden rivers."

On motion of Mr. J. L. Smith,

The report was received, and the bill laid on the table to come up in its order.

Mr. Wm. H. Dame presented the following resolution in relation to the Iron Works of Iron county:

"Sec. 1. Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah,—That Brigham Young is hereby authorized and instructed to proceed forthwith, in behalf of the Territory of Utah, and subscribe for three shares of stock in the Deseret Iron Company, for the further advance and benefits of said works; and the territorial treasurer is hereby authorized and in-

Secretary of the Territory, what claims or fees (if any) are de-

structed to pay out of the treasury any money, not otherwise appropriated, to the said Brigham Young, the sum required for the above named shares;" which,

On motion of Mr. J. L. Smith,

Was received, and laid on the table to come up in its order.

Mr. Cummings presented the following resolution in relation to the code commission:

"Sec. 1. Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah,—

"That the code commission be instructed to proceed forthwith to revise and compile the laws and acts that have been passed by the former Legislatures of this Territory, and present the same for the consideration of the present Legislative Assembly, and that the Speaker of the House, and President of the Council, appoint one or more from each branch of the Legislature, as a special committee to assist the code in the performance of the above named duty."

On motion of Mr. Phelps,

Said resolution was received.

The oldest bill on the table being called for,

The bill entitled,

"An act granting James Brown, sen., the right to erect bridges across Weber and Ogden rivers,"

Was taken up, and read the first time, when,

On motion of Mr. J. L. Smith,

Said bill passed its first reading.

The bill was then ordered to be read a second time, by sections.

The first section being read,

On motion of Mr. Phelps,

The bill was referred back to the committee on roads, bridges and ferries.

Mr. Richards moved,

"That the librarian of the territorial library be called upon to furnish his annual report to the House, together with any suggestions he may have to offer, respecting the condition and management of the same."

Seconded and carried; and note sent accordingly.

The resolution in relation to the Iron Works was then read, and,

On motion of Mr. Richards,

Said resolution passed its first reading.

On motion of Mr. Dame,

Said resolution was referred to the committee on agriculture, trade and manufactures.

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. J. C. Snow,

The house adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

FRIDAY, Dec. 15, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called, and quorum present.

On motion of Mr. J. L. Smith,

Mr. Phelps was voted Speaker pro tem.

Prayer by the Chaplain.

The Speaker having arrived, took the chair.

Mr. Cummings gave notice, that at eleven o'clock he would bring in a bill for attaching a portion of Davis county to Great Salt Lake county.

Mr. Benson, chairman of the committee on agriculture, trade and manufactures, reported a bill "In relation to the Deseret Iron Company."

On motion of Mr. Cummings,

The bill was received, and laid on the table to come up in its order.

The Speaker notified the House that the Secretary of the Territory refuses to pay one of the officers of this House, and they will have to dismiss either the Sergeant-at-Arms or the Doorkeeper.

On motion of Mr. Eldredge,

The Doorkeeper was dismissed.

Mr. Rockwood moved,

That the committee on claims be instructed to inquire of the Secretary of the Territory, what claims or fees (if any) are de-

manded of officers receiving commissions, or other public papers, from his office."

Seconded and carried.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported the following:

"To the Honorable Speaker and House of Representatives:

"We, the committee on roads, bridges and ferries, have taken into consideration the condition of the bridges across the Weber and Ogden rivers. We consider it is of the greatest importance that there be good and sufficient bridges across those rivers; and whereas, James Brown, to whom a charter was granted to erect bridges across said rivers (approved June 1, 1853) has been absent from the Territory, and not able to erect the bridges as contemplated in that act, therefore we submit the following bill, entitled 'An act granting James Brown, sen., the right to erect toll bridges across the Weber and Ogden rivers in Weber county.'"

On motion of Mr. Benson,

The bill was received, and laid on the table to come up on its order.

Mr. J. L. Smith presented the following resolution:

"Resolved, by the Governor and Legislative Assembly of the Territory of Utah, that the sum of fifteen dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to John Stiles, for services rendered to the House of Representatives as Doorkeeper, and that the auditor be instructed to issue his orders on the treasurer for the amount."

On motion, said resolution was received.

Mr. Cummings, pursuant to notice, presented "A bill for an act attaching a portion of Davis county to Great Salt Lake county."

On motion of Mr. Eldredge,

The bill was received, and laid on the table to come up on its order.

The resolution in relation to the code commission was then taken up, and read the second time.

Mr. Cummings, the presenter of said resolution, requested leave to withdraw the same, and introduce a substitute, which

On motion of Mr. Nebeker,
Was granted; when he presented the following:

"Resolution in relation to revising and compiling the laws and acts of the former Legislatures of the Territory of Utah.

Sec. 1. "Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah, that a special committee be appointed by the Speaker of the House, to act with a committee from the Council, to revise and compile the laws and acts of the former Legislatures of the Territory of Utah."

On motion of Mr. J. L. Smith,

The resolution was received, and laid on the table to come up in its order.

The minutes being called for, were then read, and

On motion of Mr. J. C. Snow, accepted.

On motion of Mr. Benson, for adjournment,

The Speaker remarked, that it was the duty of the several committees, to well digest all the business that may come before them in the capacity of a committee, and not when in legislative capacity. The code commissioners may not be able to devote as much time as last year, to digest laws for your approval, and therefore it will devolve upon you, when in committee, to make all necessary laws, and I request the chairman of each committee, if his associates will not meet with him, to report to the House at their next sitting, those members who will not do their duty.

The House then adjourned till Monday at 10 A. M.

Benediction by the Chaplain.

MONDAY, Dec. 18, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

The Speaker presented the report of the librarian of the territorial library, which was read, and,

On motion of Mr. J. C. Snow,
Was received, and referred to the committee on engrossing, &c.

Mr. Brown presented

A petition from Thomas S. Williams, praying for a reimbursement of the sum of \$1,131, which was read, and,

On motion of Mr. J. C. Snow,

The petition was received, and referred to the committee on claims.

Mr. Greene asked leave to present a bill at 2 P. M. in relation to common schools.

Mr. Benson, in behalf of the committee on Indian affairs, asked leave to bring in a bill to-morrow, at 11 A. M., for the construction of forts and fortifications for the safety of the citizens of the Territory of Utah.

Mr. Brown asked leave to bring in a bill at 11½ A. M. to-morrow.

Mr. L. Snow, chairman of the committee on judiciary, reported a bill for the regulation of county surveyors.

On motion of Mr. Eldredge,

The report was received, and the bill laid on the table.

Mr. Benson, from the committee on appropriations, reported the following resolution:

"Resolved, by the Governor and Legislative Assembly of the Territory of Utah:

"Sec. 1. That the sum of one thousand dollars is hereby appropriated out of any money in the territorial treasury, unappropriated, to be expended in making a road, commencing at the North Warm Springs, in Great Salt Lake county, and extending to the Hot Springs, in said county, to be all, or any part thereof, expended on said road for the current year, under the direction of the territorial road commissioner.

"Sec. 2. That the territorial road commissioner is hereby authorized to give orders on the territorial treasurer, for any amount not exceeding the sum of one thousand dollars, which shall have been expended under his direction on said road."

On motion of Mr. J. C. Snow,

The report was received.

The oldest bill being called for,

The bill in relation to the Deseret Iron Company was then taken up, and read the first time.

On motion of Mr. Stout,

The bill was laid over until the 8th of January, 1855.

The bill entitled,

"An act granting to James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers," in Weber county, was taken up, and read the first time.

On motion of Mr. Stout,

Said bill passed its first reading, and was laid on the table to come up in order.

The resolution appropriating \$15 to John Stiles, was then taken up, and read, and,

On motion of Mr. Brown,

The rules were suspended, and the resolution passed.

The bill entitled,

"An act attaching a portion of Davis county to Great Salt Lake county," was then taken up, and read the first time.

Mr. Smith moved

That it be referred to the committee on counties. *Negative*.

On motion of Mr. J. C. Snow,

The bill passed its first reading.

The resolution, "In relation to revising and compiling the laws and acts of former legislatures," was then taken up, and read the first time.

On motion of Mr. J. C. Snow,

Said resolution passed its first reading, and was ordered to be read the second time.

On motion of Mr. J. L. Smith,

Said resolution passed its second reading, and was referred to the committee on engrossing, &c.

The resolution, "Appropriating \$1,000 for repairs on the State road in the north part of Great Salt Lake county," was then read and passed its first reading.

On motion of Mr. J. L. Smith,

Said resolution was laid over until the 9th of January, 1855.

The minutes being called for, were then read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. J. C. Snow,

The House adjourned till 2 P. M.

Benediction by the Chaplain.

2 P.M.

The House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called, and quorum present.

On motion of Mr. Rockwood,

Mr. Benson was voted Speaker pro tem.

Mr. Greene, pursuant to notice, presented a bill entitled,

"An act for the establishment and promotion of common or primary schools throughout the Territory of Utah."

While the above was being read, the Speaker arrived, and took the chair.

On motion of Mr. Harrison,

The bill was received, and referred to the committee on education.

A message was received from the Governor on the subject of electing a warden for the Territorial Penitentiary.

On motion of Mr. Rockwood,

The message was read, received, and referred to the committee on elections, with instructions to examine the laws, and ascertain the vacancies in the several offices, that are filled by joint vote of both Houses; and report accordingly.

The bill regulating county surveyors was then taken up, and read the first time.

On motion of Mr. J. C. Snow,

Said bill passed its first reading.

Mr. Stout asked, and obtained leave to present a bill forthwith in relation to search warrants.

On motion of Mr. Dame,

The bill was received, read, and referred to the committee on judiciary.

On motion of Mr. Stout,

Mr. Wright was added to the committee on judiciary.

On motion of Mr. Rockwood,

Mr. Cummings was also added to that committee.

Mr. Richards, chairman of the committee on engrossing, &c., presented the following report:

"The committee on engrossing, to whom was referred the report of the librarian, beg leave to report back the same as being deficient of important information required."

On motion of Mr. Stout,

The report was received.

Mr. Richards moved,

"That the librarian be called upon to furnish to the House a statement of the expenditures of the library during the past year, and a copy of the binder's bill, and others, referred to in his report, accompanying the same, that the House may be informed what proportion of the last appropriation has been expended, before considering the propriety of making further appropriations, as suggested by him."

Seconded and carried.

The bill entitled,

"An act granting James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers, in Weber county," was then taken up on its second reading.

The first section was read, and,

On motion of Mr. Rockwood,

Was amended by striking out the words "at the earliest possible date," and inserting "on or before Sept. 1, 1855."

On motion of Mr. Cummings,

It was still further amended, by inserting after the words Sept. 1, 1855, the words "to the acceptance of the territorial road commissioner."

On motion of Mr. Rockwood,

The first section passed as amended.

The second section was then read, and,

On motion of Mr. Rockwood, passed.

The third section was then read.

On motion of Mr. Rockwood,

The section was amended by inserting the words "red mountain pine."

On motion of Mr. Stout,
The third section passed as amended.

The fourth section was then read.

On motion of Mr. Rockwood,
The section was amended by striking out the words "or persons"
and "or they."

On motion of Mr. Snow,
The fourth section passed as amended.

The fifth section was then read, and,

On motion of Mr. Benson, passed.

The sixth section was then read.

On motion of Mr. Stout,
The section was amended by inserting the word "toll" before
bridges.

On motion of Mr. Stout,
The section passed as amended.

The bill was then referred to the committee on engrossing, &c.
The minutes being called for, were then read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Wright,
The House adjourned till to-morrow, at 10 A. M.
Benediction by the Chaplain.

TUESDAY, Dec. 19, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

Mr. J. C. Snow moved,

"That the Hon. Secretary, A. W. Babbitt, be requested to furnish each member and officer of this House, with a suitable blank book for keeping minutes and notes therein."

Seconded and carried.

Mr. Richards, chairman of the committee on engrossing, presented the following report:

"The committee on engrossing and public printing report back the 'Resolution, appropriating money to pay John Stiles for his services as Doorkeeper to the House,' and the 'Resolution in relation to revising and compiling of the laws and acts of former Legislatures,' as duly engrossed."

The "Resolution appropriating money to pay John Stiles for services as Doorkeeper to the House," was then taken up, and,

On motion of Mr. Phelps,

Passed its third reading, and was sent to the Council for concurrence.

The "Resolution in relation to compiling the laws and acts of the former Legislatures of the Territory of Utah," was then taken up, and,

On motion of Mr. Peacock,

Passed its third reading, and was sent to the Council for concurrence.

Mr. Woolley, chairman of the committee on claims, presented the following report and memorial:

"To the Hon. Members of the Council and Legislative Assembly of the Territory of Utah:

Your memorialist, Thomas S. Williams, a citizen of the United States, and a resident of the Territory of Utah, hereby sheweth that whereas an act was passed by the Governor and Legislative Assembly of said Territory, (out of the sum appropriated by Congress) approved March 8, 1852. Among the said appropriations were the following: to wit—

To Robert Campbell, for services as engrossing clerk for the Council, 30 days (ninety dollars) \$90

To Robert Campbell, for extra services in copying bills, &c., 20 days 60

To James Ferguson, for extra services in preparing bills, 20 days 100

To Howard Coray, for services as clerk of Council, 9 days 45

To George D. Watt, for services as reporter for the Council, 30 days 90

To George D. Watt, for extra services writing out reports, 20 days 60

To William H. Kimball, for services as Sergeant-at-Arms for the Council, 40 days

To Jesse Haven, for services for extra clerking for committee, 3 days

To James Cragun, for services as Sergeant-at-Arms for the House of Representatives, 40 days

To Almon L. Fullmer, for services as assistant doorkeeper, 7 days

To Jonathan Grimshaw, for services as assistant Clerk of the House of Representatives, 20 days extra service

To Walter Thompson, reporter, 26 days in the House of Representatives

To Henry P. Richards, for services as assistant Messenger for the House of Representatives, 40 days

To Henry Phelps for services as Fireman, 7 days; and assistant Doorkeeper, 33 days for the House of Representatives

All of which appropriations, with various others, your memorialist paid in good faith, with the knowledge that the services had been rendered to the Legislative Assembly by the persons named in said appropriation bill.

Your memorialist would further represent that he placed full faith and confidence in the superior wisdom and legal acquirements of the members of the Legislative Assembly, and did not question but that all the appropriations named in said bill, touching the officers of said Assembly, would be met at the treasury department of the United States.

Your memorialist would further represent that he paid the amount above set forth, with other bills, at a time when there was no legal secretary or accounting officer for said Territory, to judge of the legality of said accounts, and at a time when there was no money at the disposal of the Legislative Assembly to defray their current expenses.

Your memorialist would further represent that he forwarded said accounts with the proper vouchers to the treasury department at the city of Washington for payment. That after waiting for two years, the department decided that under the act of Congress, ap-

proved August 29, 1842, which said act limits the number of offices, and fixes the amount to be paid for their services, and prohibits the Legislative Assembly from making appropriations beyond the objects specified.

The appropriation named in the above bill not being among those provided for in said act, the department refused to allow or to pay the same to your memorialist.

Your memorialist would further represent that, aside from justice and the moral obligation on the part of the Legislative Assembly of the Territory of Utah to pay back to your memorialist the money he has advanced in good faith, founded on the acts of said Legislative Assembly, that there are precedents which will fully justify the acts of the Legislature in so doing; to wit—the act of the 7th of January, 1854, which appropriates the sum of \$1132,50 to J. S. Tutt, for losses sustained in crossing a team over a chartered bridge across East Bear river, which bridge was not the property of the Territory of Utah, but, on the contrary, that of a private company.

Your memorialist, therefore, most respectfully asks that the same noble and generous principle may actuate your honorable body in his case, and that an act may be passed, refunding to your memorialist out of the territorial treasury the amount of the bill set forth in this memorial, with interest from the time of payment up to this present time.

With a continued confidence in the justice and magnanimity of the Legislative Assembly, your memorialist will ever pray for wise and peaceable deliberations.

T. S. WILLIAMS.

LEGISLATIVE FEES PAID BY THOMAS S. WILLIAMS, SESSION OF 1851-2,
AND DISALLOWED AT WASHINGTON.

Robert Campbell, engrossing clerk of Council, 50 days,
at \$3 150

James Ferguson, Secretary of Council, 20 days extra service,
at \$5 100

James Ferguson, difference between \$5 and \$3 per day, on
31 days 62

Howard Coray, Secretary of Council, difference between \$5
and \$3 per day, on 9 days 18

G. D. Watt, Reporter for Council, 50 days, at \$3	\$150
William H. Kimball, Sergeant-at-Arms for Council, 40 days, at \$3	120
Jesse Haven, clerking for committees, 4 days, at \$3	12
James Cragun, Sergeant-at-Arms for House, 40 days, at \$3	120
A. L. Fullmer, assistant Doorkeeper for House, 7 days, at \$3	21
Jonathan Grimshaw, assistant Clerk for House, 20 days extra service, at \$3	60
Walter Thomson, Reporter for House, 26 days, at \$3	78
H. P. Richards, assistant Messenger for House, 40 days, at \$3	120
Henry Phelps, Fireman for House, 7 days, at \$3	21
Henry Phelps, assistant Doorkeeper for House, 33 days, at \$3	99
	<hr/> \$1131

T. S. WILLIAMS.

The Governor and Legislative Assembly of the Territory of Utah,
Gentlemen:—

Your committee, to whom was referred the memorial of Thomas S. Williams, praying for an appropriation of \$1131, money advanced by him to pay certain officers of the Legislative Assembly, for the session of 1851 and 1852; and said amount of \$1131 was actually paid, as is more fully set forth in said memorial by the said Thomas S. Williams, to the various officers therein named, in full faith that the aforesaid account of \$1131 was justly due, and would be paid to him, on demand, out of the United States Treasury; and your committee, being satisfied that your memorialist, Thomas S. Williams, has properly and fairly presented said account to the proper officer of the United States treasury department, and has used all necessary diligence to collect the same, which has been been protested by the department, and by them declared null and void.

Resolved,

Therefore, by the Governor and Legislative Assembly of the Territory of Utah, that the sum of one thousand one hundred and thirty one dollars (\$1131) be, and the same is hereby appropriated out of any money in the territorial treasury, not otherwise appropriated, unto Thomas S. Williams; in full payment to him, for

money by him advanced in payment of certain officers of the Legislative Assembly for the session of 1851 and 1852.

E. D. WOOLLEY, Chairman.

On motion of Mr. Dame,

The report was received, and laid over until Jan. 10, 1855.

On motion of Mr. Brown,

The memorial of Mr. Williams, and the report of the committee on claims in relation thereto, was ordered to be published with the daily minutes.

Mr. Dame, chairman of the committee on elections, presented a report, which,

On motion of Mr. Phelps,

Was referred back to the committee for completion.

The bill entitled,

"An act attaching a portion of Davis county to Great Salt Lake county," was then taken up on its second reading.

On motion of Mr. Greene,

Said bill passed its second reading, and was referred to the committee on engrossing.

The bill entitled,

"An act in relation to surveyors and surveying," was then taken up on its second reading.

The first section was read, and,

On motion of Mr. Snow, passed.

The second section was read, and,

On motion of Mr. Woolley, passed.

The bill was then ordered to be sent to the committee on engrossing.

The Speaker appointed James W. Cummings and William W. Phelps, a committee to act in conjunction with a like committee of the Council to revise and compile the laws of the former legislatures.

A discussion took place in regard to having the speeches reported by the clerks, and appear in the minutes, in which Messrs. Cummings, Woolley, Brown and Richards took part; but no action was taken thereon.

Mr. Richards, chairman of the committee on engrossing, reported back,

"An act attaching a portion of Davis county to Great Salt Lake county," which was taken up on its third reading.

Mr. Rockwood, with the light he had, was in favor of it remaining as it is.

Mr. Woolley urged the passage of the bill, as Great Salt Lake county has not so much range in proportion to Davis county.

Mr. Grover: Great Salt Lake county may need many more conveniences that do not belong to them. If that land is taken from Davis county, their farming operations must be abandoned. If that land is taken from Davis county, add some somewhere else.

Mr. Cummings learned that Davis county intended having that portion of land fenced, so that the inhabitants of this county would be deprived of the privilege of herding cattle or cutting hay there. Wanted Mr. Grover to show that Davis county had a quarter as much the population of this county. I contend that Davis county ought to be as willing to give Great Salt Lake county that land as to take a piece from Weber.

Mr. Brown was almost converted to turning a piece of Davis county to Great Salt Lake county, and objected to some of the remarks of Messrs. Cummings and Grover. I object to taking a piece from Davis county with a view of attaching all that part of Weber county south of Weber river to Davis county, for it never will be done; NO, NEVER. It is a fact that Great Salt Lake county can make better use of that portion of territory than Davis county can, which is the richest grazing and meadow county in the Territory.

Mr. Loveland: To take that portion of Territory from Davis county, deprives them of a great portion of their grazing lands. It is a fact that it is of more worth to Great Salt Lake county than it is to Davis county, for it is already naturally fenced away from Davis.

The minutes being called for, were read, and

On motion of Mr. J. L. Smith, accepted.

On motion,

The House adjourned till 2 p. m.

Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

No. 3 (H. F.) "The bill attaching a portion of Davis county to Great Salt Lake county," was taken up and read again.

Mr. Snow moved.

That it be referred to the committee on counties.

Mr. Rockwood opposed its reference.

Mr. Woolley considered the arguments opposed to the passage of this bill, based upon very slender grounds. That portion of the territory has always been occupied by Great Salt Lake county as a herd ground; Davis county has better pasture and meadow land, and more of it in proportion to the size of the county.

Mr. Snow withdrew his motion.

Mr. Benson said the members from Davis county feel perfectly satisfied that Great Salt Lake county shall have that land, and the people of this county need it.

On motion of Mr. Wright,

The bill passed its third reading, and was ordered to be sent to the Council for their concurrence.

Mr. Benson, chairman of the committee on Indian affairs, reported a bill No. 6, (H. F.) entitled,

"An act for the construction, repairs, and preservation of fortifications in the Territory of Utah,"

Which was read, and,

On motion of Mr. Cummings, received.

On motion of Mr. Wright,

Fifty copies were ordered to be printed with open lines, for the benefit of the members of this Legislative Assembly.

Mr. Loveland presented a bill No. 8 (H. F.) entitled,

"An act to lessen the boundaries of Ogden city, in Weber county," which was read, and,

On motion of Mr. Phelps,

Was received and referred to the committee on incorporations.

The Speaker inquired if the committees had taken into consideration those parts of the Governor's message referred to them.

Mr. Cummings, chairman of the committee on revenue, reported that that committee were getting up a bill on the subject of the revenue.

Mr. Benson, chairman of the committee on Indian affairs, delivered a verbal report:

"We have taken the matter into consideration, and believe that the laws already made are as good as we can make them; but we are willing to do anything that may be suggested by the House."

On motion of Mr. Stout,

The report was received, and the committee discharged from further duties on that subject.

Mr. Stout moved,

That the Council be invited to meet this House in Joint Session at 2 P. M., to-morrow, to elect a Warden for the Penitentiary, and other officers.

Mr. Rockwood opposed the motion, until the report of the committee on Elections is received, showing what officers are to be elected.

The motion was then put, and carried in the affirmative.

Mr. Richards, chairman of the committee on Engrossing, reported as correctly engrossed, the House bill (No. 4,) entitled "An act in relation to surveyors and surveying."

The consideration of that bill was then taken up.

Mr. Stout: I question much whether they can take my property for the use of the county without making just compensation?

Mr. Rockwood contended that the plots, &c., were public and not private property, and should be sued for accordingly.

Mr. Cummings thought the bill should be referred to the committee on judiciary. The plots are private property.

Mr. J. L. Smith does not see the necessity of that section. They are private property, and if taken, he should have just compensation therefor.

Mr. Benson moved,

That the first section be stricken out.

Mr. Wright would rather see it referred to the committee on judiciary.

Mr. Stout was in favor of striking out the first section.

The motion was then put, and carried in the affirmative.

The bill was then read as amended.

Mr. Dame moved

That the section formerly the second be amended by striking out the word "block" and inserting "survey."

Seconded and carried.

Mr. J. L. Smith moved,

That the words "or persons" be stricken out.

Seconded and carried.

Mr. Rockwood objected to the bill. It is a law without a penalty.

Mr. J. L. Smith moved,

That the first section, formerly the second, be stricken out.

Seconded and carried.

The following message was received from the Council:

"The following resolution appropriating moneys to pay E. P. Duzette for services rendered the Council, has passed the Council, and is respectfully submitted for your concurrence."

On motion of Mr. Dame,

The communication was received, and the House concurred that the Council have a right to pay E. P. Duzette, for services rendered the Council as Doorkeeper, out of their own individual pockets.

The minutes being called for, were read, and,

On motion of Mr. Foote, accepted.

On motion of Mr. Benson,

The House adjourned till to-morrow morning at 10.

Benediction by the Chaplain.

THURSDAY, Dec. 21, 11 A.M.

On Joint Session adjourning this morning.

The House proceeded with business.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported,

(No. 9, H. F.) "A bill for an appropriation on the territorial roads."

On motion of Mr. Stout,
The bill was received, and laid over until January 12, 1855.

Mr. L. Snow, chairman of the committee on judiciary, reported, and begged further time, which was granted.

Mr. Brown, Chairman of the committee on roads, bridges, and ferries, presented the following report:

"The committee on roads, bridges, and ferries, to whom a resolution was referred in relation to a territorial road being laid out from the city of Provo, in Utah county, to the South Pass in Green River county, in this Territory,—beg leave to report unfavorably to locating a territorial road, as contemplated in the petition, at this time, believing it to be the duty of the counties to lay out and make their own county roads."

On motion of Mr. Richards,

The report and resolution were referred back to the committee, with instructions to draft a bill for the territorial road commissioner to lay out such a road as soon as practicable.

The minutes being called for were read, and,

On motion of Mr. Stout, accepted.

On motion of Mr. Stout,

The House adjourned till 2 P. M.

Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported

(No. 10, H. F.) "An act granting John S. Wright and others, the right to erect a toll bridge across East Bear river," which was read.

Mr. Rockwood moved,

"That the committee on roads, bridges, and ferries, be instructed to inquire what revenue, if any, has been paid into the territorial

treasury, by the agents of Brigham Young, the agent for the Territory, of East Weber and Bear river ferries, and bridge and what investments have been made by his agents, and the conditions of said investments; also what arrangements were made for the liquidation of claims or improvements on said ferries or bridge."

Seconded and carried.

On motion of Mr. Woolley,

The bill was referred back to the committee.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported

(No. 11, H. F.) "An act to locate a territorial road between Provo city and the South Pass."

On motion of Mr. Greene,

The bill was received.

Mr. Carling presented "A resolution to examine the rivers in Utah Territory."

On motion of Mr. Phelps,

The resolution was received, and taken up on its first reading.

Mr. Rockwood moved,

That the presenter of the resolution have leave to withdraw the same.

Seconded and carried.

The following communication was received from Mr. Secretary Babbitt:—

"SECRETARY'S OFFICE, Dec. 21, 1854.

"To the Hon. Members of the Assembly of Utah Territory—Gentlemen:—

In answer to the resolution of your honorable body, under date of yesterday, relative to furnishing blank note and minute books to the members, I regret much to have to say that the case containing six dozen of those books, with a press and other valuable articles which was intrusted to J. M. Horner & Co., has been lost somewhere.

I know no law requiring me to furnish such articles of stationery; but will, out of courtesy to your honorable body, endeavor to obtain as many as I can; and, in fact, I have already endeavored to

procure something of the kind worthy your acceptance, but have failed thus far.

Yours, respectfully, **A. W. BABBITT,**
Secretary of Utah Territory.

Curtis E. Bolton, Clerk.

The minutes being called for, were read, and,

On motion of Mr. Stout, accepted.

On motion of Mr. Young,

The House adjourned to meet in Joint Session, to-morrow, at 10

A. M.

Benediction by the Chaplain.

WEDNESDAY, Dec. 27, 2 P. M.

The House met at the call of the Speaker.

Roll called, quorum present.

Prayer by the Chaplain.

The bill (No. 11, H. F.) entitled,

"An act to locate a territorial road between Provo and the South Pass,"

Was taken up and read, and,

On motion of Mr. Woolley,

Referred back to the committee on roads, bridges and ferries.

Mr. Richards presented (No. 12, H. F.)

"An act to amend the charters of Great Salt Lake, Provo, Ogden, Manti, and Parowan cities," which was read, and,

On motion of Mr. J. C. Snow,

Was received, and laid on the table to come up in its order.

The following message from the Council was received:

"Your bill entitled 'An act granting unto James Brown, sen., the right to erect toll bridges across Weber and Ogden rivers,' has been adopted, with the following amendments, viz.:—

By striking out all that of Section 1, commencing on the fifth line after the word "commissioner" and ending with the words "following rates," and substituting in lieu thereof the following words, viz.: "A good durable and substantial bridge, on or near

the territorial road across the Weber river, in Weber county, and keep it, in connection with the bridge that is now built across Ogden river, constantly in good repair; and when accepted, as above named, to charge toll for crossing each bridge of the above named rivers at the following rates."

Also, in Section 3, by striking out the word "mountain" in the fourth line.

And lastly, by adding the following words at the close of Section 5, viz:

"And in case that either of the above named bridges should be carried off by high water or accident, the above named James Brown shall have the right to erect ferries across said rivers, and charge toll at the above named rates."

Do you concur in the amendments?"

Mr. Benson moved that the House concur in the amendments suggested by the Council.

Seconded and carried.

The minutes being called for, were read, and accepted.

On motion of Mr. Benson,

The House adjourned to meet in Joint Session to-morrow, at 10

A. M.

Benediction by the Chaplain.

FRIDAY, Dec. 29, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called, and quorum present.

On motion of Mr. L. Snow,

Mr. Stout was voted Speaker pro tem.

Prayer by the Chaplain.

Mr. Brown, chairman of the committee on roads, bridges, and ferries, reported (No. 13, H. F.)

"A bill to locate a territorial road from Utah valley to Black's Fork, in Green River county, and to make an appropriation to the territorial road commissioner."

On motion of Mr. Cummings,

The report was received.

*The bill (No. 12, H. F.) entitled,

"An act to amend the charters of Great Salt Lake, Provo, Ogden, Manti, and Parowan cities,"

Was taken up on its first reading, and,

On motion of Mr. Greene,

Was referred to the committee on incorporations.

The Speaker having arrived, took the chair.

The "Bill (No. 13, H. F.) to locate a territorial road from Utah valley to Black's Fork, in Green River county, and to make an appropriation to the territorial road commissioner,"

Was taken up on its first reading, and,

On motion of Mr. J. C. Snow, passed.

Mr. J. L. Smith moved,

That the further consideration of the bill be postponed until the 11th of January.

Second and carried,

The Speaker giving the casting vote.

The minutes being called for, were read, and,

On motion of Mr. L. Snow, accepted.

On motion of Mr. Richards,

The House adjourned till Wednesday next, at 10 A. M., the Council concurring.

Benediction by the Chaplain.

WEDNESDAY, Jan. 3, 1855, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

The following message was received from the Council, under date of December 29, 1854:—

"The Council, by their vote, have decided to refer the bill (C.F.) entitled, 'An act to attach a portion of Davis county to Great Salt

Lake county, also to attach a portion of Weber county to Davis county, to a select committee to consist of the members of the Council and House of Representatives from Davis and Weber counties, providing the House concur in the arrangement.

"If you concur, please instruct your committee accordingly."

On motion of Mr. J. L. Smith,

The House concurred;

Whereupon the Speaker instructed the members of said counties accordingly.

Mr. Foote presented

A petition from J. G. Bigler and 88 others to extend the eastern boundary of Juab county.

On motion of Mr. Peacock,

Said petition was received, and referred to the committee on counties.

Mr. Foote presented

An account for grading the road on the south side of the Sevier river.

On motion of Mr. Stout,

Said account was received, and referred to the committee on claims.

Mr. Wright moved

That Messrs. Richards and Rockwood be added to the committee on incorporations.

Seconded and carried.

Mr. Dame presented

A petition from John Steele and 6 others praying for compensation as witnesses before the United States district court.

On motion of Mr. Benson,

Said petition was received, and referred to the committee on claims.

The minutes being called for, were read, and accepted.

On motion of Mr. Benson,

The House adjourned till 2 P. M.

Benediction by the Chaplain.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

The following report was received from Colonel H. B. Clawson, agent for the arsenal:—

Great Salt Lake City, Dec. 22, 1854.

Hon. J. M. Grant,

Speaker of the House of Representatives:—

Sir:

I take great pleasure in acknowledging the receipt of your note of the 13th instant, and hasten to comply with the request contained therein, in relation to the condition and progress of the enclosure and the building thereon," as contemplated in "An act in relation to the militia. Approved Dec. 22, 1853." Also, I send a list of the donations, together with the amounts paid and due.

The arsenal, I am happy to say, has been enclosed since my last report to your honorable body, and a considerable portion of the interior rendered tenantable for the arms and ammunition of the militia. The ordnance now occupies the ground portion of the building, and the second story will be ready to receive the small arms, powder, and other military stores, as soon as it is lathed and plastered, the materials for which are now on hand.

It has been suggested by the Lieutenant-General that the ground be enclosed with a wall, instead of a board fence, which, it is believed, will combine greater permanence and utility, and without much extra expense.

The enclosure and building, standing as they do, in an unfinished state, is owing, in part, to the resignation of Mr. R. W. Wolcott, the contractor, who, in the early part of the present year, was unexpectedly called to leave the Territory on business of importance, and the want of means, yet there is over one thousand dollars due from subscribers, which, if paid over in available means, will place the work in a much more favorable position. Although there is not sufficient due to finish the building and wall, which, if completed as contemplated, will require some further appropriation.

During the summer an arrangement was made with General D.

H. Wells, superintendent of public works, to finish the building, and since that time, the work has considerably advanced under his supervision.

On reference to the accompanying list, you will find that the subscriptions amounted to \$8474; there has been paid \$7353.50, leaving unpaid \$1120.50. This, when compared with my last report, will show an advance in the payments of only \$381 during the past year.

If the amount subscribed was paid in, I have no hesitation in saying, that at an early date, the entire building will be ready to receive the military equipage, stores, &c., belonging to the militia of the Territory of Utah.—I have the honor to be,

Your most obedient servant,
H. B. CLAWSON, Agent for Arsenal.

On motion of Mr. Greene,

The report was received, and ordered to be printed with the daily journals.

Mr. Woolley, chairman of the committee on claims, presented the following report:—

“The committee, to whom was referred the account of Timothy B. Foote, of \$98 for grading the road on the south bank of the Sevier river, respectfully beg leave to submit the following resolution:

“Resolved by the Governor and Legislative Assembly of the Territory of Utah,

“That the sum of ninety-eight dollars (\$98) be, and the same is hereby appropriated to Timothy B. Foote, out of the territorial treasury funds, not otherwise appropriated, in full, for labor done in grading and making a road on the south bank and hill side of the Sevier river, on the road leading from Great Salt Lake City, Utah Territory, to San Bernardino, California.”

On motion of Mr. Stout,
The report was received, and referred to the committee on appropriations.

Mr. L. Snow, chairman of the committee on judiciary, reported back

(No. 7, H. F.) “An act in relation to search warrants.”

Which was read, and, on motion of Mr. Stout, was received.

Said bill was then read the first time, and,

On motion of Mr. J. L. Smith, passed.

On motion of Mr. Stout,

Fifty copies were ordered to be printed for the use of both Houses.

Mr. Stout presented

An account for guarding the poll books from Iron county to the seat of government in 1853; also an account for guarding members of the Legislative Assembly from Iron county to the seat of government in 1853.

On motion of Mr. Brown,

They were referred to the committee on claims.

Mr. J. L. Smith asked and obtained leave to bring in a bill to-morrow at 11 A. M. for the prevention of cruelty to animals.

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Young,

The House adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

THURSDAY, Jan. 4, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

Mr. Wright moved,

That the Council be requested to meet the House in Joint Ses-

sion, at 2 P. M., to take into consideration 'An act for the construc-

tion, repairs, and preservation of fortifications in the Territory of

Utah.'

Seconded and carried, and notification sent accordingly.

Mr. J. L. Smith, pursuant to notice, presented

(No. 13, H. F.) "An act in relation to dogs, and for the pre-

vention of cruelty to animals."

On motion of Mr. Richards,
The bill was received.

On motion of Mr. Rockwood,

The bill was referred to the committee on judiciary.

The Speaker giving the casting vote.

Mr. Rockwood was, on motion, added to that committee.

The following message was received from the Council:—

"I beg leave respectfully to inform you that the Council do not concur in your request to meet in Joint Session this day, at 2 p. m., to take into consideration 'An act for the construction, repairs, and preservation of fortifications in the Territory of Utah,' on the ground that the joint committee, to whom was referred said bill, are not prepared to report."

Mr. J. L. Smith moved

The bill (No. 1, H. F.) "In relation to the Deseret Iron Works," be made the special order of the day at 2 p. m.

Seconded and carried.

The minutes being called for, were read, and accepted.

On motion of Mr. Stout,

The House adjourned till 2 p. m.

Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

The following message was received from the Council:—

"The Council have this day adopted the accompanying 'Resolution assigning the United States Judges for Utah to the several judicial districts,' and respectfully ask the concurrence of the House therein."

"Resolution assigning the United States Judges for Utah to the several judicial districts.

"Sec. 1. Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah: That the Hon. John F. Kinney, Chief Judge, is assigned to the second judicial district;

"Provided, that in case the Hon. Leonidas Shaver ceases to off-

ciate as Associate Judge previous to the next regular session of the Legislative Assembly, the Hon. John F. Kinney in that event, is assigned to the first judicial district, and the successor of the Hon. Leonidas Shaver to the second.

"Sec. 2. That the Hon. Geo. P. Stiles, Associate Judge, is assigned to the third judicial district."

Mr. Stout moved,

That the resolution be laid on the table to come up in its order.

Seconded and carried, 10 voting in the affirmative, 9 in the negative, and five not voting.

(No. 1, H. F.) "A bill in relation to the Deseret Iron Company,"

Was then taken up on its second reading, and, while under consideration,

The minutes being called for, were read, and,

On motion of Mr. J. C. Snow, accepted.

On motion of Mr. Wright,

The House adjourned till to-morrow, at 10 A. M.

Benediction by the Chaplain.

FRIDAY, January 5, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

The consideration of

The "Bill in relation to the Deseret Iron Company," was resumed.

The first section was read.

Mr. Stout moved,

That the section be amended by substituting "one share" in place of "two," and "\$2422" in place of "\$4844."

Seconded and carried.

Mr. Benson moved,

That the section be amended by inserting the word "loan" in place of "subscribe."

Seconded and carried.

On motion of Mr. Stout, The bill was referred to the committee on appropriations. The minutes being called for, were read, and

On motion of Mr. J. C. Snow, accepted.

On motion of Mr. Phelps,

The House adjourned till 2 P. M. Benediction by the Chaplain.

2 P. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

The following message was received from the Council:

"The Council have by their vote, adopted the accompanying Resolution relating to Green River county, and respectfully ask the concurrence of the House therein.

"The House are requested to meet the Council in Joint Session to-morrow at 10 A. M."

"Resolution relating to Green River county:—

"Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah:

"That so much of an Act, approved Jan. 13, 1854, as provided for the organization of Green River county; also the Act apportioning representation to said county, are hereby repealed, and said county is again attached to Great Salt Lake county, for judicial, revenue, and election purposes; and the Representative apportioned to the Legislative Assembly from said county is assigned to Great Salt Lake county as heretofore."

On motion of Mr. Rockwood,

The resolution was referred to the committee on counties.

On motion of Mr. Benson,

The House concurred with the request of the Council to meet in Joint Session to-morrow, at 10 A. M.

Mr. Woolley, chairman of the committee on claims, presented the following report:

"Your committee, to whom was referred the petition of John Steele and six others, witnesses subpoenaed in the case of United

States vs. Jerome Owens,' from Iron county to Great Salt Lake county, praying for an appropriation to them as compensation for services rendered in the above case as witnesses. Also the account of Barney Carter and nine others, for guard services to the Legislative members from Iron county to Great Salt Lake City, 1853-4. Also the account of William Leany and three others, for guarding poll books of election from Iron county to seat of Government for the year 1853,

"Report adversely to all the aforesaid petitions and accounts."

On motion of Mr. Richards, The report was received.

Mr. Eldredge presented

An account for services rendered as territorial marshal in 1852, in the United States district court.

On motion of Mr. Dame,

The account was received, and referred to the committee on claims.

Mr. Wright, chairman of the committee on incorporations, reported No. 12, (H. F.)

"An act to amend city charters in the Territory of Utah."

On motion of Mr. J. C. Snow, The report was received.

Mr. Woolley, chairman of the committee on counties, reported No. 14, (H. F.)

"An act defining the boundary line between Juab and San Pete counties."

On motion of Mr. Stout,

The report was received, and the bill laid on the table to come up in its order.

The Librarian presented a report, which,

On motion of Mr. Harrison, was received.

On motion of Mr. J. L. Smith,

The report was referred to the committee on appropriations.

Mr. L. Snow, chairman of the committee on judiciary, presented the following report:

The committee on judiciary, to whom was referred 'An act in relation to dogs, and cruelty to animals,' report unfavorably, and beg to be discharged from further duties on that subject."

On motion of Mr. J. C. Snow,

The report was received, and the committee discharged from further duties on that subject.

The "Resolution assigning the United States Judges for Utah to the several judicial districts," was then taken up.

On motion of Mr. J. L. Smith,

The resolution was concurred in.

The bill No. 12, (H. F.) entitled,

"An act to amend city charters in the Territory of Utah,"

Was taken up, and read the first time.

On motion of Mr. J. L. Smith,

The bill passed its first reading.

Said bill was then taken up on its second reading.

The first section was read, and after some amendments,

On motion of Mr. J. L. Smith,

Passed as amended.

The second section was read, and,

On motion of Mr. Stout,

Was stricken out.

On motion of Mr. Peacock,

The bill passed its third reading by its title.

The minutes being called for, were read and accepted.

On motion of Mr. Harrison,

The house adjourned till to-morrow at 10 A. M.

Benediction by Mr. Benson.

SATURDAY, Jan. 6, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

Prayer by the Chaplain.

The Speaker instructed the messenger to inform the Council that the House were ready to meet them in Joint Session.

Whereupon the President pro tem., and members of the Council appeared, and two Houses went into Joint Session.—(See Joint Session minutes.)

TUESDAY, Jan. 9, 10 A.M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

Prayer by the Chaplain.

Mr. Rockwood, chairman of the committee on counties, to whom was referred the resolution from the Council, attaching Green River county to Great Salt Lake county, reported as a substitute (No. 15, H. F.)

"An act attaching Green River county to Great Salt Lake county;" also a "Resolution repealing a resolution relating to the representation of Green River and Great Salt Lake counties. Approved Jan. 19, 1854."

On motion of Mr. Greene,

The report was received.

The "Resolution appropriating \$1,000 on the north territorial road, in Great Salt Lake county,"

Was taken up, and after some amendments,

On motion of Mr. Cummings,

Passed its first reading.

Said resolution was then ordered to be read the second time by sections.

The first section was read, and,

On motion of Mr. Cummings, passed.

The second section was read, and after some amendments,

On motion of Mr. Dame, passed.

On motion of Mr. Cummings,

Said resolution was referred to the committee on engrossing.

On motion of Mr. Brown,

The Council were invited to meet the House in Joint Session on Thursday next, at 10 A. M., to take into consideration "the claim of Thomas S. Williams," also a "bill for the regulation and government of the Penitentiary."

Mr. Wright, from the committee on claims, presented the following report:—

"The committee on claims, to whom was referred the account of Horace S. Eldredge for \$75, for services rendered as territorial

marshal in the first judicial district court for the Territory of Utah, at its July term, in the year 1852, wherein the people were vs. O. H. Cogswell, et. al., beg leave to report, that in the opinion of your committee, that the aforesaid account should not be allowed by this Assembly."

On motion of Mr. Benson,

The report was received, and the committee discharged from further duties on that subject.

(No. 14, H. F.) "An act defining the boundary line between Juab and San Pete counties,"

Was taken up on its first reading, and,

On motion of Mr. J. C. Snow, passed.

Said bill was ordered to be read the second time by sections.

On motion of Mr. Phelps,

Said bill passed its second reading, and was referred to the engrossing committee.

(No. 15, H. F.) "An act attaching Green River county to Great Salt Lake county,"

Was taken up.

On motion of Mr. Rockwood,

The subject matter contained in this, and the Council bill on the same subject, was referred to the committee on the judiciary.

(No. 13, H. F.) "A bill to locate a territorial road from Utah valley to Black's Fork, in Green River county, and making appropriation to the territorial road commissioner," was,

On motion of Mr. Phelps,

Taken up on its second reading.

The first section was read and passed.

On motion of Mr. Eldredge,

The second section was stricken out, and the following inserted in lieu thereof:—

"Sec. 2. That the territorial road commissioner be authorized to draw on the territorial treasurer for the sum necessary to defray the incidental expenses of said exploration and location."

On motion of Mr. J. C. Snow,

The section passed as amended.

On motion of Mr. Phelps,

Said bill was referred to the engrossing committee.

The following Message was received from the Council:—

"I have the honor to inform you that the Council have concurred in your request to meet in Joint Session on Thursday next, at 10 A. M., to take into consideration "the claim of Thomas S. Williams, and "a bill for the regulation and government of the Penitentiary."

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Rockwood,

The House adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

WEDNESDAY, Jan 10, 10 A. M.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

Mr. Dame, chairman of the committee on elections, presented the following report:—

"Your committee on elections wish to offer an amendment to the 8th section of 'An act regulating elections, approved Jan. 3, 1853,' by adding the words "elected for county and precinct officers, and the names of persons voted for," after the word "person" on the fifth line of said section."

On motion of Mr. J. C. Snow,

The report was received.

On motion of Mr. J. L. Smith,

The committee on petitions and memorials were instructed to draft a memorial to Congress for the further appropriation to finish the territorial house, at Fillmore city.

Mr. Brown, chairman of committee on roads, bridges, and ferries, reported:—

"Your committee, to whom the bill was referred, granting John S. Wright and others, the right to erect a toll bridge over East Bear river, report the following:—Whereas, the privilege of erecting a bridge across East Bear river has been granted to Brigham Young;

also the bridge erected by John S. Wright and others has been prized, and two thirds of the money paid, and the remainder ready; therefore think it unnecessary to take any further action.

On motion of Mr. Richards,

The report was received.

Mr. Stout moved,

That the Secretary of the Territory be requested to inform the House whether application has been made to the Secretary of the United States, to furnish this Territory with a full set of Standard Weights and Measures as established by Congress, in conformity to a "Resolution approved March 3, 1852."

Seconded and carried.

The following message was received from the Council:—

"The accompanying Resolution specifying the time of holding United States courts in the several judicial districts, has this day been adopted by the Council, and is now respectfully submitted for your concurrence."

On motion of Mr. Phelps,

The House concurred.

The following communication was received from General D. H. Wells:—

"Your note making inquiry in relation to the expenditure of the appropriation for the encouragement of a military school, (approved Dec. 23, 1852) was received during my illness; I now embrace the earliest opportunity to reply. No drafts have yet been made upon that appropriation; no favorable opportunity having yet occurred wherein it could be expended to advantage, and in accordance with the intent and design with which it was made."

On motion of Mr. J. L. Smith,

The report was received.

The minutes being called for, were read, and,

On motion of Mr. Dame, accepted.

On motion of Mr. J. L. Smith,

The House adjourned till 2 p. m.

Benediction by the Chaplain.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

The following message was received from the Council:

"The accompanying bill, entitled 'An act relating to the duties of county surveyors,' has this day passed the Council, and is now respectfully submitted for your concurrence."

On motion of Mr. Stout,

The bill was laid on the table to come up in its order.

Also, the following message was received from the Council:

"The accompanying bill entitled, 'An act in relation to the delinquent territorial taxes of San Pete county, Utah Territory,' has this day been passed by the Council, and is now respectfully submitted for your concurrence."

On motion of Mr. Rockwood,

The bill was laid on the table to come up in its order.

Mr. Richards, chairman of committee on Engrossing, reported back

"An act altering and defining the boundary line between Juab and San Pete counties," also, "An act to locate a territorial road from Utah valley to Black's Fork, in Green River county." And,

"A resolution appropriating money for the re-locating and construction of a road from the Bath House in Great Salt Lake City to its northern boundary," engrossed.

"An act altering the boundary lines between Juab and San Pete counties," was taken up, and read.

On motion of Mr. Foote,

The bill passed its third reading.

"An act to locate a territorial road from Utah valley to Black's Fork, in Green River county, and making an appropriation for the territorial commissioner,

Was taken up, and read the third time.

On motion of Mr. Dame,

It passed its third reading, with some slight amendments.

"A resolution appropriating money for the locating and construc-

tion of a road from the Bath House, in Great Salt Lake City to its northern boundary."

Was taken up, and read.

On motion of Mr. Stout,

The title was amended so as to read as follows:—

"Resolution in relation to the territorial road in Great Salt Lake City," and,

On motion,

Passed its third reading by its title as amended.

Lorenzo Snow, chairman of the committee on judiciary, reported

"An act in relation to Green River county," as a substitute to Mr. Rockwood's act, and the resolution sent by the Council to the House for concurrence, which was read, and,

On motion of Mr. Stout,

Was laid on the table indefinitely.

The oldest bill being called for,

"An act relating to the duties of county surveyors,

Was taken up and read.

On motion of Mr. Rockwood,

It passed its first reading.

It was taken up on its second reading by sections.

The first section was read, and,

On motion of Mr. Eldredge,

The bill was referred to the committee on counties.

"An act in relation to the delinquent territorial taxes of San Pete county,"

Was then taken up and read, and,

On motion of Mr. Eldredge,

Was amended so as to read, "The county road between Manti and Nephi cities," instead of "any public road or bridges."

On motion of Mr. Peacock,

It passed as amended.

Mr. J. C. Snow requested leave to go home, as he had received word his family were sick, and required his attention.

Leave was granted him.

The following letter was received from Mr. Secretary Babbitt:—

"Sir:—I have received your note of this date, and in answer, have

"Resolution in relation to the Deseret Iron Works."

to report that this is the first intimation I have had of this matter. I will make the necessary application to the Secretary of the United States, 'for a full set of Standard Weights and Measures as established by Congress,' &c., at my earliest convenience, and make report to you the reply when received.

The minutes being called for, were read, and,

On motion of Mr. Peacock, accepted.

On motion of Mr. Phelps,

The House adjourned until to-morrow at 10 A. M., to meet in Joint Session.

Benediction by the Chaplain.

MONDAY, Jan. 15, 3 1/2 P. M.

On Joint Session adjourning.

The House proceeded with business.

The following message, which was received from the Council under date of Jan. 11, was read:—

"I have the honor to inform you that the Council have concurred in your 'Act to amend the charters of Great Salt Lake, Ogden, Provo, Manti, and Parowan cities.'"

The report of the committee on elections was taken up.

On motion of Mr. Cummings,

The presenter of said report had leave to withdraw the same (No. 9, H. F.) "A bill to make appropriations on the territorial roads,"

Was taken up, and read the first time, and while under consideration,

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Wright,

The House adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

On motion of Mr. Dams
TUESDAY, Jan. 16, 10 A. M.
The resolution was received.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, and quorum present.

Prayer by the Chaplain.

The following message was received from the Council:—

"Your amendments to the 'Act in relation to the delinquent territorial taxes of San Pete county,' have been concurred in.

"Also your 'Act altering and defining the boundary line between Juab and San Pete counties,' has been concurred in."

Mr. Benson asked and obtained leave to present a bill at 11 o'clock, for the appointment of an agent to take stock in the Deseret Iron Works.

The consideration of (No. 9, H. F.)

"A bill to make appropriations on the territorial roads," was resumed.

On motion of Mr. Cummings,

The first section was stricken out.

On motion of Mr. Benson,

The second section was stricken out.

Mr. Benson, chairman of the committee on appropriations, reported:

"The committee on appropriations, to whom was referred the report of the Librarian, beg leave to report that after duly considering said report, recommend that the resignation of said Librarian, tendered in said report, be accepted, inasmuch as the Secretary of the Territory has assumed the payment of all expenses, as well as the appointing and paying of the library and the Librarian, according to his instructions."

Mr. Phelps moved,

That a special committee be appointed to examine into the state of the library.

Seconded and carried; whereupon

The Speaker appointed Messrs. Cummings and Richards said committee, with instructions to proceed with that business forthwith.

Mr. Benson, pursuant to notice, presented (No. 7, H. F.)

"Resolution in relation to the Deseret Iron Works."

On motion of Mr. Dame,
The resolution was received.

Said resolution was read the first time, and,

On motion of Mr. Wright, passed.

Said resolution was ordered to be read the second time.

The first section was read, and,

On motion of Mr. Wright, passed.

The second section was read, and,

On motion of Mr. Smith, passed.

On motion of Mr. Benson,

Said resolution passed its third reading by its title.

Mr. Dame presented

An account of Geo. A. Smith, W. H. Dame, and Richard Harrison, for the hire of guards to the Legislative Assembly, 1854-5.

On motion of Mr. Rockwood,

The account was received, and referred to the committee on claims.

Mr. Benson moved,

That a special committee of three be appointed to examine into the laws relating to strays and the sale thereof.

Seconded and carried; whereupon

The Speaker appointed Messrs. Smith, Grover, and Brown said committee.

Mr. Woolley, chairman of the committee on claims, reported favorably to the account of Geo. A. Smith, W. H. Dame, and R. Harrison for guards, and suggested that it be referred to the committee on appropriations.

On motion of Mr. Dame,

The report was received, and the account referred to said committee.

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Benson,

The House adjourned till 2 P. M.

Benediction by the Chaplain.

(No. 7 H. F.)

"Resolution in relation to the Desert Iron Works."

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called, quorum present.

The following messages were received from the Council:—

"Your bill entitled 'An act to locate a territorial road from Utah valley to Black's Fork, in Green River county,' is not concurred in.

"Your 'resolution in relation to the territorial road, in Great Salt Lake City,' has been amended by the Council, by striking out all after the word 'road' in the third line of the second section; also the words 'Sec. 2. That the territorial road,' and inserting the word 'said' in lieu thereof; also by striking out 'Great Salt Lake City and' in the seventh line of the first section, and inserting in the sixth line, the words 'Great Salt Lake City' between 'the' and 'Bath House,' in lieu thereof.

"If we hear nothing further from you, we shall consider that you have concurred in the amendments."

"The Council respectfully invite the Hon. Speaker and members of the House of Representatives to meet them in Joint Session, in their Chamber, to-morrow (the 7th inst.) at 10 o'clock A. M."

On motion of Mr. J. L. Smith,

The House concurred in the amendments to the "Resolution in relation to the territorial road in Great Salt Lake City."

On motion of Mr. Wright,

The House concurred in the request of the Council for a Joint Session.

Mr. Benson presented (No. H. F.)

Appropriation bill.

On motion of Mr. Stout,

Said bill passed its first reading.

Said bill was then read the second time.

On motion of Mr. Stout,

The bill passed its third reading.

Mr. Phelps, from the committee on petitions and memorials, presented

"A memorial to the Senate and House of Representatives of the United States, in Congress assembled," praying a further appropriation of \$15,000 towards the completion of the Penitentiary.

On motion of Mr. Stout,
The memorial was received and adopted.

On motion of Mr. Grover,

Mr. Rockwook was added to the special committee appointed to
examine into the laws in relation to strays.

The minutes being called for, were read, and

On motion of Mr. Dame, accepted.

On motion of Mr. Dame,

The House adjourned to meet in Joint Session, in the Council
Chamber, to-morrow, at 10 A. M.

Benediction by the Chaplain.

"We have heard nothing further from you, we shall consider that you
have concurred in the amendments."
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of the House of Representatives to meet them in Joint Session, in
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On motion of Mr. J. I. Smith,
The House concurred in the amendments to the "Resolution in
relation to the territorial road in Great Salt Lake City."
On motion of Mr. Wright,
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Session.

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Appropriation bill.
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call some member to the chair when the House votes to go into committee of the whole, and may then debate the question before the committee. V.—The officers of the House shall perform their several duties as they shall be instructed from time to time by the Speaker.

RULES

ADOPTED FOR CONDUCTING BUSINESS.

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF UTAH.

DUTY OF OFFICERS.

I.—Whenever the House shall assemble, if the Speaker should be absent, the Chief Clerk shall call the House to order, and proceed to call the roll; and in his absence, any member may call to order; and if a quorum is present, the House may proceed to elect a Speaker pro tem. If a quorum is not present, the Sergeant-at-Arms, or any other officer of the House may be sent after the absentees, and compel their attendance.

II.—The Speaker shall preserve order and decorum; speak on points of order, in preference to other members, and shall decide questions of order, subject to an appeal to the House; but shall not speak in debate.

III.—All questions shall be put by the Speaker, and decided by the yeas and nays; but if the Speaker doubts, or a division be called for, the House shall divide; those on the affirmative side of the question shall rise first from their seats, and afterwards those on the negative.

IV.—In all cases when the House is equally divided, the Speaker shall give the casting vote, and shall vote on all questions when the votes are required to be put upon the journal. The Speaker shall

call some member to the chair when the House votes to go into committee of the whole, and may then debate the question before the committee.

V.—The officers of the House shall perform their several duties, as they shall be instructed, from time to time by the Speaker.

OF COMMITTEES.

VI.—No committee shall sit during the sitting of the House, without special leave of the House.

OF MEMBERS.

VII.—No member shall be allowed to be absent without leave of the House, unless detained by sickness, or other unavoidable necessity.

VIII.—Fourteen members, including the Speaker, shall constitute a quorum; and no member shall be permitted to leave the House during the session of the day, without leave of absence by the Speaker.

ORDER OF BUSINESS.

IX.—The following order shall govern:

- 1st. Messages, and communications on the table.
- 2d. Petitions, or remonstrances to be offered.
- 3d. Resolutions, and notices to bring in bills.
- 4th. Reports of committees.
- 5th. Bills to be introduced, of which notice has been given.
- 6th. Bills and resolutions ready for second reading.
- 7th. Bills on their passage.
- 8th. Reports, in possession of the House, which offer grounds for a bill are to be taken up, that the bill may be ordered in.
- 9th. Bills or other matter before the House, unfinished the preceding day.

X.—No business shall be taken up out of the above order without the consent of two thirds of the members present.

OF DECORUM AND DEBATE.

XI.—When a member shall be called to order, he shall cease speaking; and every question of order shall be decided by the Speaker without debate, subject to an appeal to the House.

XII.—No member shall speak more than twice upon the same question to the exclusion of others, without leave of the House.

XIII.—Before any resolution, any petition, or other paper, addressed to the House, shall be received, and read, whether the same be introduced by the Speaker, or member, the title shall be fairly endorsed thereon, and a brief statement of its objects, or contents, shall be made by its introducer.

XIV.—Every bill shall receive three readings before it is passed; the Speaker shall give notice at each reading, whether it be the first, second, or third: Provided, however, the house may order it to be read by its title, after its first reading.

XV.—After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn by leave of the House.

XVI.—When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and if carried, shall be equivalent to its rejection.

XVII.—A motion to adjourn shall always be in order, excepting when a member is speaking, or the House voting; and before the motion is put, the minutes shall be read.

XVIII.—When the reading of a paper is called for, and the same is objected to by a member, the question shall be determined by a vote of the House.

XIX.—All questions shall be postponed in the order in which they were moved, except that of filling blanks, when the largest sum, and the longest time shall be put first.

XX.—When any matter is referred to a standing committee by motion of any member, it shall be the duty of the chairman of such committee, to notify such member of their time and place of sitting upon such matter so referred; and said member shall be permitted to confer with such committee, during their consideration of such matter; and all standing committees shall have power to send for evidence or papers relative to matters referred.

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XXI.—No member shall be absent more than twice upon the same day, without leave of the House.

JOURNAL OF JOINT SESSIONS

LEGISLATIVE ASSEMBLY

OF UTAH TERRITORY.

Monday, Dec. 11, 1854; 2 1/2 P. M.

The two Houses went into Joint Session, according to previous arrangement, in order to receive the Governor's message.

The joint committee of both Houses, appointed this morning, were requested to wait upon His Excellency the Governor, and escort him to the Assembly.

On return of said committee, they introduced His Excellency, when the members of the Assembly and spectators arose to their feet, and continued standing until the Governor took his seat.

The Secretary of the Council then read the Governor's Message as follows:—

Gentlemen of the Council and House of Representatives:—

Under the benign influence of high Heaven's protecting care, we are again assembled in the capacity of a Legislative Assembly, to ordain and establish such laws as shall best subserve the public good.

The toil of the husbandman has been rewarded by a plentiful harvest, and peace, prosperity, and success, have eminently attended all our efforts.

We have been delivered from the overflowing scourge which desolates the nations, the wayward destroyer, and the devouring flame. With thanksgiving and praise, let our aspirations ascend from warm and willing hearts, unto our Father and our God, who has extended

unto us his rich blessings, and caused the earth to bring forth in her strength for our sustenance.

Although a large immigration have found homes in these peaceful vales during the past season, yet, it is believed, there is an abundant supply of food for all, until another harvest.

Through the untiring exertions of our worthy delegate in Congress, Hon. John M. Bernhisel, appropriations have been obtained for making a "Road through our southern settlements, and extending to the boundary of California; for holding treaties with the Indians; and to defray the expense incurred in suppressing Indian hostilities in the years 1851 and 1852." These are the first appropriations of the kind which have been made for this Territory. This action of Congress, though tardy, is none the less acceptable, evincing, as it does, a favorable disposition to place Utah upon an equal footing with other territories. We hail it as a good omen, and trust that in future her interests may not be neglected, nor her claims disregarded. There seems to be a difficulty in obtaining appropriations when made by Congress; month after month, and even a year sometimes intervenes, before they are received at the point of disbursement. Where the distance is so great, and the means of communication are so limited, it is desirable that the action of the department should be prompt in such matters.

The present prospect is, that none of the appropriations made at the last session will be received before another year; such delays operate very onerously and unjustly upon the Territory, as well as upon the citizens, who have so long been anxiously looking for the liquidation of their just claims.

The appropriations for the State House and Penitentiary are each expended; and in order to complete either of those works, an additional appropriation will be required either by the legislature or Congress.

The works at Fillmore have rapidly progressed the past season, and it is anticipated that the State House will be ready for the accommodation of the legislature at its next annual session.

Peace with the Indians has been preserved during the year, although detached parties of the Utahs have been found unfriendly, which in one instance resulted in their killing two of our citizens.

The perpetrators of this crime were brought in by other Indians, and delivered up to the United States authorities, before whom they had a fair trial, were found guilty of murder, and executed according to law, the Indians themselves giving testimony against them.

It has required the greatest forbearance and patience, as well as large amounts of presents on the part of our citizens, to maintain amicable relations with them. In some few instances they have presumed upon the forbearance shown them, and conducted themselves very improperly and abusively to the people. The pacific policy which has, from the beginning, been exercised toward them, has no doubt avoided many collisions which might have resulted in open war.

Although large quantities of beef, flour, clothing, guns, ammunition, &c., have been given them, to conciliate and make them friendly, yet the savage propensities of their natures, their improvident and vile gambling habits of life are such that no present supply, no matter how generous, remains long with them; and their indolence precludes any idea of their replenishing from their own resources.

The Shoshones are rather superior to the Utahs, and provide better for their own living, although a large party of them have quartered upon the settlements north during the past summer. Much has been done by the inhabitants, since their residence among the Indians of the mountains, to ameliorate their condition. They were found to exist in the lowest state of degradation—poor, ignorant, indolent, and savage. In their anger, nothing restrained them, but fear, from the greatest excess of crime. They would sell and gamble away their own children, and steal from and rob other Indians of theirs, either to sell, gamble away, or kill, as their humor seemed to suit them. A horse or gun was deemed an equivalent for killing a man; and every shade of difficulty became a matter of barter for pecuniary consideration. The settlers have invariably given them provisions and clothing, furnished them with guns and ammunition to kill game, and in various ways administered to their relief. In many places grain has been raised for them, and houses built for their chiefs and principal men.

This policy has had a tendency to correct their vile habits

and propensities, and sometimes induce them to labor for their own support.

This course of liberality towards them, in addition to constant loss of property caused by their depredations, is a severe tax and burden upon the people, especially in the more isolated and thinly settled locations, where their visits are more frequent and more numerously attended. It is, therefore, with a sense of relief that we look forward to the disbursement of the present appropriation made for holding treaties with the Indians, in the expectation that the people will be secured against their depredations, and partially relieved from their constant support.

The Territory will also be partially re-imbursed for advances which she has made from time to time for the suppression of Indian hostilities. It is undeniable that those expenses have been much less in this, than other territories similarly situated, and should be met with a spirit of liberality on the part of the General Government. But whatever the government may be able to accomplish in her intercourse with the Indians, it is scarcely expected that Utah will be relieved of their presence,—consequently not freed from their depredations. The inhabitants should therefore secure themselves and property as much as possible, and be prepared to defend themselves at any moment from their hostile incursions.—Each settlement should complete its defences, and preserve an active and energetic military organization. In various ways the people have sought to secure their own safety, and protect their property from constant depredations, short of maintaining an open warfare against them. I have uniformly pursued a friendly course of policy towards them, feeling convinced, that independent of the question of exercising humanity towards so degraded and ignorant a race of people, it was manifestly more economical, and less expensive, to feed and clothe than to fight them.

The policy adopted towards a small band, usually inhabiting Weber county by the inhabitants of that district in distributing them out among the citizens, making for the Indians, judicious selections, where they and their families may feel that they have a home, and know that they can depend upon having food, shelter, and kind treatment in exchange for their labor, seems feasible; and if, in the

end, it should prove successful, will have a tendency, at least, to secure peace to the inhabitants, and civilization to the Indians.— Doubtless, a vast deal of patience and forbearance would be required to carry out this policy, even if the Indians should consent to try it. If they were suitably employed, it is believed, they would become profitable laborers after a little experience. They should be paid honorably and fairly in such things as they need, day by day, according to their necessities; until they learn to be more provident of their means. Like all other works of great philanthropy, this probably would be gradual in its operation; but if it should be deemed worthy of adoption, it is believed, it can be carried into general effect in the Territory.

In many of the southern settlements, already the Indians have become useful in labor and business, and quite a number of Indian children are found living in families, who have taken them to bring up and educate. So far as my knowledge extends in relation to the subject, such children have had the benefit of common schools; this blessing is secured to them by the operation of law.

The subject of education has probably received as much attention in this as in any other as newly settled state or territory. In almost all the wards and districts, good school houses have been erected, and schools maintained a part of the year, but I fear that sufficient attention is not paid to the selection and examination of teachers, or the manner of conducting schools. Although the board of regents, have doubtless by their influence aided much, and are still extending their influence and exertions in a general way to advance the cause of education, yet at this moment, there is not a parent school for the instruction of teachers—a mathematical or high school where the higher branches are taught, in all the Territory; neither have they a single object of public improvement under their auspices in progress for educational purposes. This is partly owing to the want of means to operate with, and partly to the fact, that the board, consisting of men engaged in such a multiplicity of business, have but little time to devote to these duties.— Hitherto the cause of education has been entrusted with the board, by the legislature who probably conceived they had sufficiently discharged their duties, by having invested the regents with full power

and authority to act in relation to that subject. But it is a subject of vast importance, and involves trusts of too weighty consideration to be neglected for any reasons at present existing. It is a subject fraught with momentous interest to us, and our youth, who are soon to become our representatives upon the earth, and will, if neglected, recoil with bitterness upon our own heads, when too late to remedy.

As a territory, we have peace, and extensive ability exists with the people, to establish, and sustain good common schools in every ward and district, not only three, or six months in a year, as appears at present most common; but ten, or eleven, wherein every child, no matter how poor, may find admittance. Schools for teachers, mathematical schools, and schools wherein the higher branches are taught, should also be kept in successful operation, in all of the principal towns. It is moreover an opportune time to introduce the new alphabet, in forming which, the regency have performed a difficult and laborious task. I recommend that it be thoroughly and extensively taught in all the schools, combining, as it eminently does, a basis of instruction for the attainment of the English language, far surpassing in simplicity and ease any known to exist. Although the more immediate duties pertaining to the subject of education, may devolve upon the regency, still, it does not free the legislature from responsibility, and I doubt not that whatever aid or influence you may find in your power to extend, will be cheerfully given.

I cannot refrain from again calling your attention to the subject of home manufactures. Large quantities of wool, flax, hides, furs, and almost every variety of the best material for the manufacture of woollen cloth, linen, leather, hats, soap, candles, glue, oil, sugar, pottery, and castings, are found in abundance, and easily procured, and yet we find large quantities of such articles annually imported, and purchased by the people, which causes a large and constant drain of our circulating medium. If a few hundred thousand dollars which are now annually expended, and carried away for imported goods, were instead thereof, invested in machinery and articles for domestic manufactures, it would prove far more advan-

tageous, and rapidly advance the prosperity of our thriving Territory.

It would appear, that the expense and trouble of transporting goods over a thousand miles of land carriage, would be sufficiently protective to encourage the capitalist to embark in domestic manufacturing. It is manifestly our interest as a people, to more generally produce from our own resources, articles for our own use. It is the spring of wealth to any community—of independence to any state. Much has been accomplished, but the very prices prove that the manufacture of all of the above mentioned articles, as well as many others, is a lucrative business, opening to the enterprize of many more of our citizens.

If our market could be abundantly supplied with articles of domestic industry, and economy, our object would be attained, the money retained in the country, and importers seek elsewhere a market for their goods.

The Kanyon Creek sugar works, designed for the extensive manufacture of sugar from the beet, are nearly ready for operation.

The works in Iron county, for the manufacture of Iron from the ore, are in operation, although not as successful as could be desired. The operators have had many unforeseen obstacles, more or less incident to all new locations, and untried metals, as well as many adverse circumstances, to contend with; but it is gratifying, and encouraging to know that they have so far been able to surmount them all; and have moreover acquired an experience which will greatly facilitate future operations. This branch of domestic manufacture has received considerable aid from the public treasury, and may, for a limited time, still need some assistance.

We recognize, in the general diffusion of true knowledge, and the universal practice of well directed industry and economy, the elements of unbounded prosperity, and independence; they form the bulwarks of our defence, and are the source of our freedom. The fostering care of legislative authority, and aid, should be extended to all such objects as are so manifestly calculated to promote the general welfare. Considerable public improvements have been accomplished, although more through the voluntary contributions of the people in labor &c., than funds devoted for such purposes. Bridge-

es across the Jordan and Sevier rivers have been built; mills have been, and are being constantly erected; roads are made; canyons and mountains explored for material, and vast quantities of lumber, lumber, stone, and other materials collected for the permanent improvement of our towns and cities; all betokening a spirit of energy and enterprize on the part of our citizens, gratifying to all, who feel an interest in the improvement, and progress of these far distant vales.

The revenue derived from the assessment of the past year, has been merely nominal, amounting in all to only \$ 6386 31
 And of this amount collected 4434 56
 Which leaves a balance delinquent of 1951 75
 There have been collected however, from the delinquencies of former years, 8682 11
 which has aided the treasury to meet a great share of the public debt.

Auditor's warrants, redeemed at the treasury, during the year, amount to 13,182 85
 leaving in circulation at date of report, Oct. 31, 1854, 8352 36
 which is less than half the amount outstanding at the close of the last fiscal year.
 There is still a delinquency in the hands of the collectors, amounting to 8273 31
 which, if collected, would leave a balance in favor of the treasury of 4920 05

It is barely probable that sufficient may be realized from the present delinquency to meet the existing indebtedness. You will therefore perceive, that whatever appropriations may be made, it will necessarily be based upon revenue arising from future assessments.

There exists an unwarrantable neglect on the part of a majority of the collectors, in not collecting the taxes, and making their returns in proper season. The revenue law should embrace a penalty, and a provision, making it the duty of some person to prosecute such collectors as fail to comply with the requirements of the law; because a collector dislikes to enforce his collections, should cease to be an excuse.

The people are abundantly able to pay their taxes; and if they fail or neglect to do so, the law should be enforced against them. In common courtesy, the people should be more prompt in these matters, and not devolve upon their officers the unpleasant task of compelling them.

If appropriations are made for public improvements, and other objects of interest and general utility, the rate per cent. will necessarily have to be increased, but for the ordinary expenses of government, it is considered that the present will bring sufficient revenue.

We are still left in doubt in regard to the construction of a railway across the continent, the time when, and the route it shall traverse. If it were thrown open to private enterprise, and men were secured the right of way, it is more than probable, that one or more would now be in process of construction, and soon in successful operation.

As the all-absorbing Nebraska-Kansas question seems now happily disposed of, it is sincerely hoped that this matter will earnestly engage the attention of Congress at an early day. The department have probably received the reports of the several railway routes surveyed by this time, and nothing should hinder their proceeding at once to the decision of its location, and taking measures for its speedy construction.

In the military department there is no material change from last report; the usual musters have been held, but the new enrollments which it is anticipated will show a considerable increase in the numbers, have not yet been returned. Some of the volunteer companies are providing themselves suitable uniform, which adds to their military appearance and indicates that they feel an interest in the performance of this, as well as other duties. It would be a matter of gratification, if others would follow their example. 'Tis true, we prefer efficiency in organization, discipline, arms, ammunition, and all necessary accoutrements, to useless appendages, ornamental or otherwise; but the energy and commendable pride which stimulates an officer or soldier to uniform himself may generally be taken as an evidence that the more necessary part is not neglected. Service during the year has been nominal; no expedi-

tions have been called for, and the constant guard service requisite during the prevalence of Indian aggressions and hostilities, has been, in a measure, dispensed with.

Forts and city walls remain, in most of the settlements, in an unfinished condition. We again urge it upon the people to improve the present time of peace and prosperity to complete their defences as they know not what hour their enjoyment of quiet may be broken.

The aid of the Perpetual Emigrating Fund Company has been extended to thousands of poor, to assist them to emigrate from the United States and other countries, and find homes in the Valleys of the Mountains. The operations of the company thus far have been very successful, although comparatively little remuneration has as yet been received from those benefited. They will, however, as they get able, refund, and in many instances double by donation what they have received.

By the aid of this fund much good has already been accomplished; many thousands of persons have been taken from the depth of poverty and placed where they can, not only sustain themselves, but soon find a competence for themselves and families. Still thousands are anxiously awaiting for the time when the company will be able to bring them also, to a land where labor finds its reward. The operations of the company prove doubly remunerative; it not only places the poor in a situation to sustain themselves, but adds to the sum of labor necessary to develop the resources of the Territory, and bring forth and combine from the elements things necessary for the sustenance and convenience of human existence.

Our labor is our wealth; by it we bring to ourselves the luxuries of life, ornament the earth with beautiful dwellings and gardens, build cities, and bring forth the rich fruits of the earth from her prolific bosom. This, then, is a natural outlet to the over-populated districts of the older states and countries, where every avenue seems closed against the poor who linger out a miserable existence in hunger and want, bequeathing their children the same fate—a hopeless and thankless legacy. Here, in these favored climes, poverty can scarcely be said to exist, and no person, having the common ability to labor, need want for the common necessities of life. This has

been the labor of the Perpetual Emigrating Fund Company, to pick up the worthy poor from such places, and give them an inheritance with us. That they have been successful, let the hills, the vales, the kanyons, which echo with the hum of their industry, make answer! Let the granaries, groaning with the productions of the earth, the result of their labor, reply! From the beginning, their operations have gradually increased—the last year's immigration amounting to nearly four thousand souls. It is designed to operate more extensively hereafter, in immigrating from the United States.

The full complement of the federal officers for this Territory, except an Indian agent, are now resident with us; and so far as I am informed, a good degree of cordiality and reciprocal kindness exists between them and the people of the Territory.

A corps of the U. S. troops, under the command of Col. Steptoe, on their way to California, are also sojourning with us during the winter. From the courteous and gentlemanly bearing of the officers, and the control which they appear to exercise over their men, I feel gratified in the belief, that if their services were wanting in protecting the settlements from Indian aggression, or otherwise, it would be cheerfully extended.

While thus briefly reviewing the condition and situation of our Territory—our own beloved mountain home, I am forcibly reminded of her rapid progress during the short period of her existence, also eliciting bright anticipations of her glorious future, when she shall emerge from territorial thralldom, and have her place among that mighty family of nations, whose progress and power, whose influence and destiny, the disclosing eye of Omnipotence can alone reveal.

May we aid, by our united energy and ability, in subserving the public good, that when we go hence, we may have the proud consciousness of having faithfully kept and fulfilled the important trusts reposed in us by the people, whose servants we are, and whom we have the honor to represent.

BRIGHAM YOUNG.

Executive Department, U. T., Great Salt Lake City,

Dec. 11, 1854.

On motion of Mr. Benson,

There were 5,000 copies of the Governor's Message ordered to be printed, for the benefit of the Legislative Assembly of the Territory of Utah, and for distribution.

On motion of Mr. Stout,

It was ordered to be published in the Deseret News.

On motion of Counselor Geo. A. Smith,

The Joint Session adjourned.

WEDNESDAY, Dec. 20, 2½ P.M.

The two Houses went into Joint Session, pursuant to previous arrangement, in order to elect a warden for the Territorial Penitentiary, and other officers.

The President of the Council in the chair.

The minutes of Joint Session of the 11th inst. read, and,

On motion of Mr. Wright, accepted.

The report of the House committee on elections was read, and,

On motion of Mr. Benson, received.

Councilor Pratt moved,

That one member from each county make a nomination for the vacancy in their own county.

Seconded and carried.

On motion of Councilor Carrington,

Elias Smith, Esq., was re-appointed one of the code commissioners.

Hon. Mr. Grant nominated

Albert Carrington, Esq., as Attorney-General for the Territory of Utah.

Seconded and carried.

Mr. Peacock nominated

Andrew Love to fill the office of District Attorney for the Second Judicial District.

Seconded and carried.

Councilor Bingham nominated

Jonathan Browning to fill the office of Probate Judge for Weber county.

Seconded and carried.

Mr. Benson nominated

Isaac Bullock to fill the office of Probate Judge for Green River county.

Seconded and carried.

Mr. Brown nominated

William Critchlow to fill the office of Notary Public for Weber county.

Seconded and carried.

Mr. Peacock nominated

John Eager to fill the office of Notary Public for San Pete county.

Seconded and carried.

Mr. John L. Smith nominated

Isaac Bullock to fill the office of Notary Public for Green River county.

Seconded and carried.

On motion of Mr. Stout,

Ira Eldredge was re-appointed Territorial Road Commissioner.

Councilor Johnson presented the following

"Resolution to create the office of warden or keeper of the Penitentiary:—

"Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah, that the office of warden or keeper of the Penitentiary of Utah Territory be and is hereby created."

On motion,

The resolution was received.

Said resolution was taken up on its first reading, and,

On motion of Mr. Cummings, passed.

On motion of Councilor Harrington,

The resolution was adopted.

His Excellency nominated

Daniel Carn as Warden for the Territorial Penitentiary.

Seconded and carried.

Mr. Phelps moved

That a committee be appointed to draft a memorial to the President and Senate of the United States to re-appoint Brigham Young Governor of Utah Territory, he being the unanimous choice of the citizens of this Territory.

Seconded and carried.

The President of the Council appointed Albert Carrington, Hosea Stout, Samuel W. Richards, John L. Smith, and William W. Phelps, said committee, with instructions to attend to their duties forthwith.

On motion of Mr. Grant,

The Joint Session adjourned till to-morrow, at 10 A.M.

Benediction by the Chaplain.

THURSDAY, Dec. 21, 10 A.M.

The two Houses met in Joint Session, pursuant to adjournment.

Called to order by the Speaker of the House.

Roll called, and quorums present.

The President of the Council in the chair.

Prayer by the Chaplain of the House.

Minutes of Joint Session of 20th inst., read, and,

On motion of Mr. Harrison, accepted.

Mr. Cummings moved,

That the President of the Council appoint a committee of three to draft a bill, "For the regulation and government of the Penitentiary."

Seconded and carried.

The President of the Council appointed James W. Cummings, Hosea Stout, and Lorin Farr, said committee.

On motion of Mr. Peacock,

The bill entitled,

"An act for the construction, repairs, and preservation of fortifications in the Territory of Utah," was then taken up, and,

On motion of Mr. Wright,

Passed its first reading.

On motion of Mr. Rockwood,

The bill was laid over to be taken up on its second reading to-morrow, at 10 A. M.

His Excellency the Governor appeared, and took his seat.

Councilor Carrington, chairman of the committee appointed yesterday to draft a memorial to the President and Senate of the United States, for the re-appointment of Brigham Young as Governor of Utah Territory, reported

"A memorial of the Legislative Assembly of the Territory of Utah to His Excellency Franklin Pierce, President of the United States, for the re-appointment of His Excellency Brigham Young, Governor and Superintendent of Indian Affairs," which,

On motion of Councilor Harrington,

Was unanimously received and adopted, and 300 copies ordered to be printed.

Also,

"A memorial of the Legislative Assembly of the Territory of Utah to the Honorable the Senate of the United States, for their advice and consent for the re-appointment of his Excellency Brigham Young, Governor and Superintendent of Indian Affairs," which,

On motion of Mr. Dame,

Was unanimously received and adopted, and 300 copies ordered to be printed.

Also,

"A report of the Legislative Assembly of the Territory of Utah, to the President, Senate, and people of the United States, concerning the \$20,000 appropriated in section 12 of the Organic Act," which,

On motion of Mr. J. L. Smith,

Was unanimously received and adopted, and 300 copies ordered to be printed.

The minutes being called for, were read, and,

On motion of Councilor Woodruff, accepted.

On motion of Mr. Phelps,

They were ordered to be printed with the daily journals.

On motion of Councilor Geo. A. Smith,

The Joint Session adjourned till to-morrow, at 10 A. M., the two Houses to meet in their respective rooms forthwith.

FRIDAY, Dec. 22, 10 A. M.

The two Houses met in Joint Session pursuant to adjournment.

Called to order by the Speaker of the House.

Rolls called, and quorams present.

Prayer by the Chaplain of the House.

The President of the Council in the chair.

Mr. Cummings moved,

That the bill (No. 6, H. F.) entitled "An act for the construction, repairs, and preservation of fortifications in the Territory of Utah," be referred to the joint committee on the judiciary.

Seconded and carried.

On motion of Councilor Geo. A. Smith,

Mr. Benson was added to that committee.

On motion of Mr. Cummings,

Mr. Wright was also added to the committee.

Some discussion took place on the subject of making Jordan bridge a toll bridge.

On motion of Councilor Geo. A. Smith,

The subject was referred to the joint committee on incorporations.

Councilor Geo. A. Smith moved,

That the committee of the House on education, and the like committee of the Council, be instructed to co-operate and consolidate their efforts.

Seconded and carried.

On motion of Mr. Phelps,

The Assembly adjourned until Tuesday the 26th inst., at 10 A. M., then to meet in Joint Session; 23 voting in the affirmative, and 15 in the negative.

Benediction by the Chaplain.

TUESDAY, Dec. 26, 10 A. M.

The two Houses met in Joint Session pursuant to adjournment.
Called to order by the President of the Council.

Rolls called, and quorams present.

Prayer by the Chaplain of the House.

The minutes of Joint Session of 22nd inst. read and accepted.
 Councilor Pratt, from the joint committee on education, reported
 "An act in relation to common schools."

On motion of Mr. Dame,

The report was received, and the bill laid on the table to come
 up in its order.

On motion of Mr. Stout,

Fifty copies were ordered to be printed for the use of the As-
 sembly.

The auditor's report was received.

The report was read by the Clerk.

AUDITOR'S OFFICE,
 G. S. L. City, Dec. 16, 1854.

To the Honorable Council and House of Representatives of the
 Territory of Utah, in legislature assembled:—

GENTLEMEN:—

I have the honor to present to your body the auditor's annual
 report of public accounts. Owing to the very great want of punctu-
 ality in the various officers of the Territory to make the requisite
 reports to this office, upon which the auditor has necessarily, in a
 great measure to depend for the information which ought to be em-
 bodied in his general report; it is impossible for me to lay before
 you a full, or satisfactory account of the present condition of any
 of the public improvements. I must therefore crave your indulgence
 for the brevity of this report.

Since my report to His Excellency the Governor, on the 2nd
 Nov. last, there have been additional reports from some of the col-
 lectors, showing additional assessments; as also additional issues on
 the treasury, which will in some measure change the sums total as
 contained in that report. The following table shows the amount
 of revenue to be derived from the general assessment of property
 for the year 1854 as far as reported, viz:—

Weber county territorial tax	\$745 76
Davis county "	805 00
G. S. L. county "	4625 84
Tooele county "	251 39
Utah county "	885 42
Millard county "	113 21

Juab county territorial tax	67 76
San Pete county " "	190 65
Iron county " "	281 83
Green River county " "	87 86

Showing a revenue of seven thousand eight hundred and fifty three dollars and forty eight cents. 7,853 48

Add amount delinquent at last report, Dec. 16, 1853 16,206 17

Amount collected for 1854 4,631 82

Amount " of delinquent, 1850, '51, '52 and '53 243 64

Amount remitted 123 12

4,998 58

24,069 65

Showing a total delinquency at this date of \$19,061 07

As appears from the reports on file in this office.

There has without doubt however, been a large share of this apparent delinquency collected and paid in the treasury; but of the amount I am as yet unapprised, owing to the negligence of the collectors to make settlements with this office—the collectors of Weber, Davis, Millard, and Iron, only having made settlement.

I have issued orders on the treasury since my last annual report, Dec. 16, 1853, amounting to ten thousand seven hundred and thirty eight dollars and two cents, as follows, to wit:—

On account of Jordan bridge	\$1,169 99
" Ogden and Weber roads and bridges,	1,250 00
" Arsenal	173 28
" Indian expeditions	867 39
" Coal creek kanyon road	2,418 42
" Tithing office	2,060 24
" Legislative reporters	539 40
" Library	462 80
" Premiums on flax	75 00
" Arms, &c.	10 25
" Brand recorder	150 00

On account of Cottonwood canal	145 00
" Roads, &c.	2 67
" Criminals	6 00
" Green River co. organization	50 00
" Auditor's salary	200 00
" Mr. Tutt for damages at Bear river ferry	1,132 58
" Taxes overpaid Utah co., in 1863	25 00

\$10,738 02

Add amount in circulation at my last report, Dec. 16, 1853

7,247 67

17,985 69

Of the above there has been redeemed at the treasurer's office per treasurer's report, Oct. 31, 1854

13,182 85

Showing an amount in circulation at date, of

4,802 84

The commissioner reports the amount received at bridge at Lehi for the past year at

\$1,114 19

Expenditures for the year

229 09

\$885 10

The Cottonwood canal very much out of repair, partially from water from the mountains in heavy rains, but principally from the practice of cutting passages through the embankments by evil-minded persons as yet unknown to the commissioner, evidently with the view of letting the water escape, and destroying the canal.

The officers of the University have not yet made any report to this office for this or any previous year; nor am I at all advised as to the affairs of that institution.

Two reports only, on the subject of raising flax, have been made to this office with a view of claiming the premiums provided for in the resolution to "encourage the raising of flax and hemp."

One by Wm. S. Muir of Davis county, to whom the premium of sixty dollars was awarded.

Mr. Muir plowed one acre of black gravelly land in the fall after growing potatoes, plowed it again in the spring; sowed one and

three-fourths bushels of seed on the 27th April, harrowed it in, harvested it on the 27th of July without irrigation, raised four hundred pounds of lint, and twenty eight bushels of seed, being 2½ pounds of lint, and 5 6-10 quarts of seed to the square rod.

The other by the Hon. J. M. Grant, to whom was awarded the premium of forty dollars.

Mr. Grant plowed one hundred and fifty four rods of black loam mixed with sand, in Davis county, on which wheat was grown two years prior, and sowed broadcast, one bushel and one fourth of seed, and harrowed it over twice; harvested on the 15th of August, without irrigation; raised 27 bushels and 40 pounds of the cleanest and best quality of seed received at the Tithing office—being 5 and a fraction less than 7-10 quarts to the square rod. The number of pounds of lint was not ascertained, but was sold in the stack for fifty dollars—and said by judges to be equal to that raised in the states.—

There is no official information in this office in relation to the Sevier or Jordan river bridges, or any other of the public improvements, except as herein mentioned.

You will perceive by this imperfect and unsatisfactory report, that there is a culpable neglect on the part of the various officers of the Territory to forward their several reports to this office at the times required by the law, and my utter inability to do justice to those subjects which the law requires the auditor to present in his annual report to your honorable body. It is with extreme regret, gentlemen, on my part, that I present you with so meager a report.

Perhaps you will pardon me, if I suggest the propriety of attaching a penalty to the breach of those laws requiring reports to be made to this office; and of passing a law authorizing and requiring some person to prosecute in case of such breach. It might also be advisable to provide that all delinquents from any part of the Territory shall be answerable to, and that all such prosecutions may be had before, some competent tribunal in this city.

I remain gentlemen, your obedient servant,

A. CALKIN, Auditor, &c.

On motion of Geo. A. Smith, The report was received, and ordered to be printed with the minutes of the day.

Councilor Geo. A. Smith, chairman of the joint committee on judiciary, reported progress, and asked further time, which,

On motion of Mr. Phelps,

Was granted.

Mr. Cummings,, from the committee, to whom was referred the bill "For the regulation and government of the Penitentiary," reported progress, and asked further time, which,

On motion of Mr. J. L. Smith,

Was granted.

Councilor Harrington, from the joint committee on incorporation, reported a bill entitled,

"An act in relation to Jordan bridge, in Great Salt Lake City."

On motion of Mr. J. L. Smith,

The report was received, and the bill was laid on the table to come up in its order.

Councilor Geo. A. Smith moved,

That the joint committee on corporations be instructed to draft a bill for "A general incorporation act for towns and cities," and report the same to this Assembly, at their earliest convenience.

Seconded and carried.

The President of the Council instructed the committee to proceed forthwith with that business.

The minutes being called for, were read, and,

On motion of Mr. Stout, accepted.

The President of the Council instructed the several committees to improve the time in preparing business for the Assembly.

On motion of Mr. Phelps,

The Assembly adjourned to meet in Joint Session to-morrow, at 10 A. M.

Benediction by the Chaplain.

WEDNESDAY, Dec. 27, 10 A. M.

The two Houses met in Joint Session, pursuant to adjournment.

Called to order by the Speaker of the House.

Rolls called, and quorums present.

Prayer by the Chaplain of the House.

The President of the Council in the chair.

Mr. Brown presented

(No. 3, J. S. F.) "An act to appropriate \$1,000 for the territorial road commissioner," which was read, and,

On motion of Mr. J. C. Snow,

The bill was received.

Said bill was read, and,

On motion of Mr. Cummings,

Passed its first reading.

Said bill was then read the second time, and,

On motion of Mr. J. L. Smith,

Passed its second reading.

On motion of Mr. Phelps,

The bill passed its third reading by its title.

The bill (No. 2, J. S. F.) entitled,

"An act transferring the right to Jordan bridge to Great Salt Lake City,"

Was taken up, and,

On motion of Mr. J. L. Smith,

Passed its first reading.

The bill was then read the second time, and,

On motion of Councilor Woodruff,

Passed its second reading.

The bill was then read by its title, and,

On motion of Mr. Stout,

Was amended so as to read "An act in relation to the Jordan bridge in Great Salt Lake City."

The bill (No. 1, J. S. F.) entitled,

"An act relating to common schools," was then taken up on its first reading, and,

On motion of Mr. J. L. Smith, passed.

On motion of Councilor Harrington,

The bill was laid over, to be made the special order of the day to-morrow at 10 A. M.

Mr. Benson presented

(No. 4, J. S. F.) "A resolution to encourage home manufactures and the raising of grain,"

Which was read, and,

On motion of Mr. Phelps,
Received, and referred to the joint committee on agriculture,
trade, and manufactures.

Councilor Harrington, from the joint committee on incorpo-
rations, reported progress, and asked further time, which,

On motion of Councilor Ray,
Was granted.

The minutes being called for, were read, and,

On motion of Mr. Stout, accepted.

On motion of Mr. Phelps,

The Joint Session adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

THURSDAY, Dec. 23, 10 A. M.

The two Houses met in Joint Session pursuant to adjournment.

Called to order by the President of the Council.

Rolls called, and quorums present.

Prayer by the Chaplain of the House.

On motion,

The Secretary was requested to furnish a stove, by which the
Hall could be kept of an equal temperature.

The bill (No. 1, J. S. F.) entitled,

"An act relating to common schools," was taken up on its second
reading.

The first section was read, and,

On motion of Mr. Phelps, passed.

The second section was read, and,

On motion of Mr. J. L. Smith, passed.

The third section was read.

Councilor Pratt moved,

That the section be amended by inserting the words, "neglect or"
between the words "the" and "refusal" in the 11th line; also, by
inserting the word "any" between the words "of" and "taxable"
in the 13th line.

Seconded and carried.

On motion of Mr. Richards,

The third section passed as amended.

The fourth section was read, and,

On motion of Mr. J. L. Smith, passed.

The fifth section was read, and,

On motion of Mr. Phelps, passed.

The sixth section was read.

Mr. Rockwood moved,

That it be referred back to the committee for reconsideration.

Seconded and carried.

On motion of Mr. Benson,

The bill (No. 3, J. S. F.) entitled,

"An act appropriating \$1,000 for the territorial road commissioner,"

Was taken up for reconsideration.

Mr. Grant moved,

That the bill be laid on the table, and that the commissioner be requested to furnish this Assembly with a condensed report of the services he has rendered the Territory.

Seconded and carried.

The "Act relating to common schools," was again taken up.

Councilor Pratt, from the committee on education, reported the sixth section of the 'Act relating to common schools' to be stricken out, and the following inserted instead thereof:—

"Sec. 6. The superintendent of common schools shall give bonds, with approved security, to the chancellor of the University of Deseret, for the faithful performance of his duties, and which shall be filed in the office of the secretary of said University. And all other officers created by virtue of this act, shall give bonds with approved security to, and be qualified by the nearest justice of the peace, in the respective districts where they are appointed, conditioned for the faithful performance of their duties, the forfeiture of which bonds shall in the case of the examiners of common schools go into the county treasury for the benefit of the county; and in the case of trustees, such forfeitures shall be for the benefit of the district school; and these bonds shall be filed in the office of the probate judge of the county."

On motion of Mr. Dame,
The report was received.

The (inserted) sixth section was read, and,

On motion of Mr. J. L. Smith, passed,
The seventh section was read, and,

On motion of Mr. Phelps,
Amended, by adding the following words:—

“But the trustees and inspectors of schools in such chartered cities, having established schools, shall make reports of their doings, the same as the counties above specified, to the board of examiners of common schools, as above directed.”

On motion of Mr. J. C. Snow,
The section passed as amended.

The eighth section was read, and,

On motion of Mr. Harrison passed.

On motion of Mr. Stout,

The first section was reconsidered and amended so as to read:

“Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, that ‘the chancellor and board of regents of the University of the State of Deseret,’ shall appoint a superintendent of common schools for the Territory of Utah, who shall hold his office during the pleasure of said board.”

On motion of Mr. Woolley,

It was still further amended by striking out the words, “of his doings,” and inserting the words, “and also to perform such other duties as may be required of him by said board.”

On motion of Mr. Phelps,

The bill passed its third reading by its title.

The minutes being called for, were read, and,

On motion of Mr. Benson, accepted.

On motion of Councilor Pratt,

The Joint Session adjourned to meet in their respective rooms tomorrow, at 10 A. M.

Benediction by the Chaplain.

SATURDAY, Jan. 6, 1888, 10 A. M.

The two Houses met in Joint Session according to previous arrangement.

Prayer by the Chaplain of the House.

Councilor Pratt, from the joint committee to compile the laws, reported (No. 6, J. S. F.)

"An act relating to the United States courts for the Territory of Utah,"

Which was read.

On motion of Mr. Eldredge,

The report was received, and the bill laid on the table to come up in its order.

Councilor Geo. A. Smith, chairman of the committee, to whom was referred (No. 6, H. F.) "An act for the construction, repairs, and preservation of fortifications in the Territory of Utah," reported as a substitute (No. 5, J. S. F.)

"An act concerning fortifications."

On motion of Mr. Eldredge,

The report was received.

Said bill was read the first time, and,

On motion of Mr. Cummings,

Passed its first reading.

Said bill was ordered to be read the second time by sections.

The first section was read, and,

On motion of Councilor Carrington,

The words "upon the estimate of locating committee," in the 4th line, were stricken out.

On motion of Mr. Eldredge,

The word "male" was inserted between the words "able-bodied" and "person."

On motion of Mr. Woolley,

The words "within the districts" were inserted after the word "property" in the fifth line.

On motion of Mr. Cummings,

The section passed as amended.

Sections 2, 3, and 4 were read, and severally passed.

Section 5 was read, and,

On motion of Mr. Stout,
The words "qualify and," in the first line, were stricken out.

On motion,
The section passed as amended.

Sections 6 and 7 were read, and severally passed.

On motion of Mr. Rockwood,

The 5th section was reconsidered, and

On motion of Mr. Cummings,

Amended by inserting after the word "bond," in the fifth line,
the words "payable to the people of the district."

On motion of Mr. Dame,

The section passed as amended.

On motion of Mr. J. L. Smith,

The bill passed its third reading by its title.

On motion of Mr. Cummings,

Mr. Greene was added to the committee on the Penitentiary.
(No 5, J. S. F.) "An act relating to the United States courts for
the Territory of Utah,"

Was taken up on its second reading.

On motion of Councilor Carrington

The bill was laid on the table indefinitely.

On motion of Councilor Carrington,

The present committee to compile the laws were honorably dis-
charged.

On motion of Councilor Carrington,

Councilor Geo. A. Smith was appointed a committee of one to
compile and arrange the laws.

The minutes being called for, were read, and accepted.

On motion of Mr. Stout,

The Assembly adjourned till Monday, at 10 A. M. then to meet in
Joint Session.

Benediction by the Chaplain.

On motion of Councilor Geo. A. Smith,
The report was received, and the committee discharged from fur-

Monday, Jan. 8, 10 A. M.

The Assembly met in Joint Session pursuant to adjournment.
Called to order by the Speaker of the House.

Rolls called, and quorums present.

Prayer by the Chaplain of the House.

The President of the Council in the chair.

On motion of Mr. J. L. Smith,
(No. 7, H. F.) "An act in relation to search warrants," was taken up.

Said bill was read the first time.

Mr. Benson moved,

That it do not pass its first reading, and that no further legislation be had on the subject during this session.

Seconded and carried,

Sixteen voting in the affirmative, and fifteen in the negative.

The minutes being called for, were read, and

On motion of Mr. J. C. Snow, accepted.

On motion of Mr. Phelps,

The Assembly adjourned till 2 P. M.

The Assembly met pursuant to adjournment.

Called to order by the President of the Council.

Rolls called, and quorums present.

Ira Eldredge, territorial road commissioner, presented a report, which,

On motion of Councilor Geo. A. Smith,

Was referred to the joint committee on revenue.

Councilor Harrington, chairman of the joint committee on incorporations, presented the following report:—

"The joint committee on incorporations, to whom was referred the consideration of the subject of a general incorporation act, would respectfully report that they have duly considered the same, and think that it is unnecessary to legislate thereon at the present session."

On motion of Councilor Geo. A. Smith,

The report was received, and the committee discharged from further duties on that subject.

Councilor Geo. A. Smith, the committee appointed to compile and arrange the laws, presented a schedule of acts, resolutions and memorials, amended, repealed, obsolete, or superseded; and also

those acts, resolutions and memorials, proposed to remain, and constitute the new book of laws.

On motion of Mr. Dame,

The report was received, and 50 copies ordered to be printed.

Councilor T. S. Smith, chairman of the select committee to define the boundary line between Weber and Davis counties, reported that the committee had met several times, but could not agree.

Councilor T. S. Smith asked and obtained leave to present forthwith (No. 6, J. S. F.)

"An act to attach a portion of Davis county to Great Salt Lake county; also to attach a portion of Weber county to Davis county."

On motion of Mr. Richards,

Said bill passed its first reading, and was ordered to be read the second time by sections.

The first section was read, and,

On motion, passed.

The second section was read.

Mr. Brown moved,

That it be amended so as to read: "That all that portion of Weber county, south of a line running down the centre of the main channel of the Weber river, to a point due north of the north-west corner of Kington's Fort, thence due west to the Great Salt Lake, be, and is hereby attached to Davis county."

Seconded and carried.

On motion of Mr. Eldredge,

The bill passed its third reading.

The minutes being called for, were read and accepted.

On motion of Mr. Phelps,

The Assembly adjourned, the two Houses to meet in their respective rooms to-morrow at 10 A. M.

Benediction by the Chaplain.

THURSDAY, Jan. 11, 10 $\frac{1}{2}$ A. M.

The two Houses went into Joint Session, according to previous arrangement.

The President of the Council in the chair.

The "Memorial of Thomas S. Williams" and the resolution appropriating money to Thomas S. Williams for money advanced by him to the officers of the General Assembly in the Session of 1851 and 2, were taken up and read.

On motion of Mr. Stout,
Said resolution passed its first reading, and was ordered to be read the second time.

On motion of Mr. Eldredge,
Said resolution passed its second reading.

Mr. Brown moved,
That the bill pass its third reading by its title, and while under consideration,

On motion of Councilor Woodruff,
Mr. Williams (who was present) was granted the privilege of addressing the House on the subject.

The question on the final passage of the resolution being put, it was decided in the negative.

On motion of Mr. Peacock,
The petitioner have leave to withdraw the memorial.

The following communication was received from his Excellency the Governor, under date of Jan. 10:—

"I beg herewith to return to the Assembly. "An act granting James Brown, sen., of Ogden City, the right to erect toll bridges across the Weber and Ogden rivers, in Weber county, which would meet my approval, if it were inserted in the proper place in said bill, that the said James Brown shall make good roads across the flats, and that when the bridge becomes territorial property, he shall be paid the value of said roads at the time, as appraised by the commissioner; also, that the bridge shall be constructed of the best red pine, where it now reads, in 3rd section, "must be of good material."

On motion of Councilor Carrington,
The amendments suggested were ordered to be inserted.

Mr. Cummings, chairman of the committee on the Penitentiary, reported (No. 8, T. S. F.)

"An act in relation to the Penitentiary."

On motion of Mr. Richards,

The bill was received, and 50 copies ordered to be printed.

On motion of Mr. Stout,

The bill was laid over to be made the special order of the day on Monday next.

The minutes being called for, were read, and,

On motion of Mr. Dame, accepted.

On motion of Councilor Geo. A. Smith,

The Joint Session adjourned till to-morrow at 10 A. M.

Benediction by the Chaplain.

FRIDAY, Jan. 12, 10 A. M.

The two Houses met in Joint Session pursuant to adjournment.

Called to order by the Speaker of the House.

Rolls called, and quorums present.

Prayer by the Chaplain of the House.

The President of the Council in the chair.

Councilor Woodruff, chairman of the joint committee on revenue, presented the following report:—

“The joint committee to whom was referred (No. 3, J. S. F.) the ‘Resolution to grant Ira Eldredge one thousand dollars;’ also the report of Ira Eldredge, the territorial road commissioner; having reflected upon, and investigated the subject, would respectfully report the two following resolutions to the joint assembly:— ‘A resolution in relation to delinquent taxes,’ and ‘A resolution appropriating money to the territorial road commissioner.’”

On motion of Mr. Brown,

The report was received, and the bill laid on the table to come up in its order.

Councilor Farr presented (No. 9, J. S. F.)

“An act appropriating \$500 to Jesse W. Fox.”

On motion of Mr. Brown,

The bill was received.

The report of the special committee appointed to compile and arrange the laws of Utah Territory, was taken up.

Mr. Cummings moved,

That the following resolution be added to the report:—

“Be it resolved, by the Governor and Legislative Assembly of the Territory of Utah:—That the above acts, resolutions, memorials, &c., as reported above are hereby declared to be null and void, and not to be compiled and printed with the laws of the present session of the Legislative Assembly.”

Seconded and carried.

On motion of Councilor Wells,

The resolution was received, and with the report referred to the joint committee on judiciary.

The “Resolution in relation to certain delinquent taxes,” was taken up, and,

On motion of Mr. Cummings,

Passed its first reading.

Said resolution was read the second time, and,

On motion of Councilor Farr, passed.

Said resolution was then read the third time, and,

On motion of Councilor Carrington,

The resolution was referred back to the committee on revenue, with instructions to draft a resolution authorizing the auditor of public accounts to settle with the territorial road commissioner.

The “Resolution appropriating money to the territorial road commissioner,” was then taken up, and,

On motion of Mr. Eldredge,

Amended by striking out the words “in payment for,” and inserting the words “to apply on” in lieu thereof.

On motion,

The resolution passed.

The minutes being called for, were read, and,

On motion of Mr. Dame, accepted.

On motion of Mr. Phelps,

The Joint Session adjourned till 2 P. M.

Benediction by the Chaplain.

—
The Assembly met in Joint Session, pursuant to adjournment.
Called to order by the Speaker of the House.

Rolls called; and quorums present.

(No. 9, J. S. F.) "An act appropriating five hundred dollars to Jesse W. Fox,"

Was taken up.

On motion of Mr. Brown,

Said bill passed its first reading.

Said bill was then read the second time.

On motion of Mr. Stout,

The bill was referred to the committee on claims.

Councilor Wells presented the following:—

"I hereby propose to publish for the benefit of the people of Utah Territory, an alphabetical list of all the recorded marks and brands, which now number upwards of one thousand, on the following terms:—

"To commence publication as soon as four hundred subscribers have paid one dollar each, for which dollar I will furnish each subscriber with the full set of one thousand marks and brands, printed alphabetically, and bound together in envelope paper covers, as soon as the printing and binding can be done.

"(Signed)

WM. CLAYTON,

"Recorder of Brands."

Also,

"A resolution concerning marks and brands."

On motion of Mr. J. L. Smith,

The resolution was received.

Said resolution was read the first time, and,

On motion of Mr. Greene, passed.

Said resolution was read the second time, and,

On motion of Mr. Dame, passed.

On motion of Mr. J. L. Smith,

The resolution passed its third reading by its title.

Councilor Wells presented

(No. 10, J. S. F.) "An act incorporating Cotton Wood Canal Company."

On motion of Mr. Cummings,

The bill was received.

Said bill was read the first time, and,

On motion of Mr. Harrison, passed.

Said bill was then ordered to be read the second time by sections.

The first section was read, and

On motion of Mr. Peacock, passed.

The second section was read, and,

On motion of Mr. J. L. Smith, passed.

The third section was read, and,

On motion of Mr. Cummings, passed.

The fourth section was read, and,

On motion of Councilor Harrington, passed.

The fifth section was read, and,

On motion of Mr. Phelps, passed.

The sixth section was read, and,

On motion of Mr. Dame, passed.

The seventh section was read, and,

On motion of Councilor Johnson, passed.

On motion of Councilor Pratt,

The bill passed its third reading.

The minutes being called for, were read, and,

On motion of Mr. Wright, accepted.

On motion of Councilor Woodruff,

The Joint Session adjourned till Monday next, at 10 A. M.

Benediction by the Chaplain.

MONDAY, Jan. 15, 10 A. M.

The two Houses met in Joint Session pursuant to adjournment.

Called to order by the Speaker of the House.

Rolls called, and quorums present.

Prayer by the Chaplain of the House.

(No. 8, J. S. F.) "An act in relation to the Penitentiary,"

Was taken up, and read the first time.

On motion of Mr. J. L. Smith, passed.

Said bill was then ordered to be read the second time by sections.

The first section was read, and,

On motion of Mr. Cummings,

Amended by inserting "\$5,000" in the sixth line.

Councilor Pratt moved,

That the section be amended by striking out the words "elected by the joint vote of both Houses of the Legislative Assembly," in the third line, and inserting "nominated and appointed by the Governor, by and with the advice and consent of the Legislative Council."

Which was negatived.

On motion of Mr. Rockwood,

Amended by striking out the words "of both Houses" in the third line.

On motion of Mr. Eldredge,

The section passed as amended.

The second section was read, and,

On motion of Mr. Stout, passed.

The third section was read, and after a slight amendment,

On motion of Mr. Rockwood, passed.

The fourth section was read.

On motion of Mr. J. L. Smith, passed.

The fifth section was read, and,

On motion of Councilor Pratt,

Amended by striking out the word "November," and inserting "October," in lieu thereof.

On motion of Mr. Foote,

The section passed as amended.

On motion of Mr. Rockwood,

The section was re-considered and amended by inserting the words "place of birth," at the commencement of the sixth line.

On motion of Mr. Phelps,

The bill passed its third reading.

Mr. Cummings presented the following:—

"Great Salt Lake City, Jan. 15, 1855.

"Governor and Legislative Assembly:—

"Gentlemen,—

"In return for the complimentary ball and supper you so generously tendered to the Deseret Dramatic Association on January 2nd, 1855, which was gratefully accepted by that body, permit us as a feeble expression of earnest good will, to offer to your honora-

ble body the entire occupancy of the theatre, on Thursday evening next, on which occasion we shall present an entire new play.

"With assurance of our highest regard and wishes for your unbounded prosperity in the cause of good,

"We remain, yours truly,

JAMES W. CUMMINGS,

ROBERT T. BURTON,

HIRAM B. CLAWSON,

WM. C. STAINES,

ASA CALKIN,

DAVID CANDLAND,

Committee of
Dramatic Society."

The minutes being called for, were read, and

On motion of Mr. Phelps, accepted.

On motion of Mr. Peacock,

The Joint Session adjourned till 2 P. M.

Benediction by the Chaplain.

The Assembly met in Joint Session, pursuant to adjournment.

Called to order by the Speaker of the House.

Rolls called, and quorums present.

Councilor Woodruff, chairman of the joint committee on revenue, reported back

"Resolution in relation to certain delinquent taxes."

Said resolution was read the first time, and,

On motion of Mr. Phelps, passed.

Said resolution was read the second time.

On motion of Mr. Brown, passed.

On motion of Mr. Stout,

Said resolution passed its third reading by its title.

Mr. Benson presented

A petition from Peter Maughn and 33 others, praying for the incorporation of the City of E. T.

On motion of Mr. Stout,

The petition was received and referred to the committee on Incorporations.

Mr. Benson presented

(No. 9, J. S. F.) An act locating the county seat of Tooele county.

Which was read, and

On motion of Mr. Stout,

Passed its first reading, and was ordered to be read the second time by sections.

The first section was read, and

On motion of Mr. J. L. Smith, passed.

On motion of Mr. Peacock,

The bill passed its third reading by its title.

Mr. Richards presented

A petition from the Chancellor and Board of Regents of the University of the State of Deseret, praying an appropriation for the establishment of a high school in Great Salt Lake City.

On motion of Mr. Peacock,

The petition was received, and referred to the committee on appropriations.

On motion of Mr. Rockwood,

The committee on claims were instructed to inquire if anything is due to the University of the State of Deseret on appropriations already made, and report accordingly.

Mr. Dame moved,

That the joint committee on petitions and memorials be instructed to draft a memorial to Congress for an appropriation of \$50,000 for the locating and working a military road from Fillmore city, Utah Territory, south through Parowan, Cedar, and Harmony cities, to the head of navigation on the Colorado river.

Seconded and carried.

Mr. J. L. Smith moved

That the joint committee on petitions and memorials be instructed to draft a memorial to Congress, for a further appropriation of \$25,000 for the military road from Great Salt Lake City, south through Provo, Fillmore, Parowan, and Cedar cities, to the eastern boundary of California.

Seconded and carried.

The minutes being called for, were read, and,

On motion of Mr. J. L. Smith, accepted.

On motion of Mr. Richards,

The Joint Session adjourned.

WEDNESDAY, JAN. 27, 1890.

Joint Session met pursuant to appointment.

Rolls called, quorums present.

Prayer by the Chaplain of the House.

Thomas S. Smith, on behalf of the committee on petitions, presented:—

Memorial to Congress for a military road from Cedar city south to Harmony, thence south easterly to the head of navigation on the Colorado river.

On motion of Mr. Dame, the memorial was adopted.

The memorial was adopted.

T. S. Smith, on behalf of the committee on petitions, presented

A memorial to Congress, for a further appropriation for the military road from Great Salt Lake City south, through Big Water, Parowan, and Cedar cities, to the eastern boundary of California.

On motion of Lorin Farr, the memorial was adopted.

The vote to adopt the first memorial was reconsidered and rescinded, and the two memorials were referred back to the committee, with instructions to bring in a memorial for one road, calling for an appropriation large enough to meet the demands.

L. E. Harrington, on behalf of the joint committee on incorporations, to whom was referred the petition to incorporate E. T. City, in Tooele county, reported

"An act to incorporate E. T. City, Tooele county."

Which was read the first time, and

On motion of Mr. Greene, passed.

On motion of Mr. Stout,

The bill passed by its title.

Orson Pratt, on behalf of the joint committee on appropriations, to whom was referred the petition of the chancellor and board of regents of the University of the State of Deseret, asking for an appropriation of \$1500 for the immediate establishment of a "High or select school," in Great Salt Lake City, reported unfavorably to said petition, in consequence of the numerous appropriations which have already been made, and the impoverished state of the funds in the territorial treasury.

On motion of W. W. Phelps,

The report was received, and the committee discharged.

A bill from the adjutant-general, H. B. Clawson (amounting to \$575 for services, rent, desk, &c.) being presented, was read.

On motion of Mr. Stout,

The bill was referred to the committee on claims.

Albert Carrington, on behalf of the code commission, reported.

"An act concerning transfer of land claims and other property."

On motion of Mr. Cummings,

The report was received, and the bill taken up for immediate consideration.

On motion of Mr. Dame,

The bill passed its first reading.

On motion of Orson Pratt,

The bill was read the second time by sections.

On motion of Mr. Cummings,

The bill passed by its title.

Geo. A. Smith presented

"Petition of J. & E. Reese & Co., for making roads and erecting bridges up Carson river kanyon, Carson Valley, and for receiving toll, &c."

On motion of Mr. Phelps,

The petition was referred to the committee on roads, bridges, and ferries.

D. H. Wells, on behalf of the joint committee on judiciary, reported and read

"An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, their publication and distribution."

On motion of Mr. Stout,

The declaration of independence and the articles of confederation, the ordinance of 1787, the constitution of U. S. and amendments thereto, and the laws respecting the naturalization of aliens, were ordered to be printed with the present compilation of laws.

The minutes of the morning were read and accepted.

On motion of Mr. Eldredge,

Adjourned till 3 P. M.

Rolls called, quorums present.

A. Johnson, on behalf the committee on claims, to whom was referred the adjutant-general's bill of \$575, reported back the same, with

"An act appropriating moneys to the adjutant-general of the Nauvoo Legion, and others."

On motion of Mr. Dame,

The report was received.

On motion of D. H. Wells,

The bill was read the first time.

On motion of Mr. Phelps,

The bill was read the second time.

On motion of L. E. Harrington,

The bill was read the third time by its title and passed.

"An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, their publication and distribution,"

Was taken up, and read the first time.

On motion of W. W. Phelps,

The bill was read the second time by sections.

On motion of Mr. Dame,

The bill passed by its title.

J. W. Cummings, on behalf the special committee, to whom was referred the report of the librarian of the Utah library; and also the report of the standing committee of the House on appropriations thereon—report "They have examined said reports and numbered the books now in the library, and those booked to different individuals, and by comparing the number with the catalogue, learn that there are but few volumes missing or unaccounted for. Your committee are further informed that other individuals than the librarian have had access to the library, under circumstances which the librarian could not control, because of which he does not feel responsible for any deficiency of books or papers, belonging to said library."

On motion of Mr. Eldredge,

The report of the committee was received, and the Assembly expressed their entire satisfaction with the past services of the librarian.

On motion of W. W. Phelps,

The librarian was instructed to procure a sufficient lock to the library door, whereby he can keep the property of said library secure under his own charge.

The minutes of the afternoon being read, were accepted.

On motion of Mr. Benson,

Adjourned to meet in Joint Session to-morrow morning, at 10 o'clock.

THURSDAY, Jan. 18, 10 A. M.

Joint Session met pursuant to adjournment.

Rolls called, and quorums present.

Prayer by the Chaplain of the Council.

By permission of the Assembly,

Hon. A. W. Babbitt appeared, and read his instructions from Hon. Elisha Whittlesey, comptroller of the United States treasury, in regard to the Utah library, and remarked on the resolution passed by the Assembly last evening. He stated, that should the library be put under his charge agreeably to the instructions of the comptroller, he should feel himself authorized to allow the librarian a salary of \$400 a year.

On motion of Mr. McArthur,

The committee on incorporations were instructed to draft a bill to incorporate Pleasant Grove, in Utah county.

On motion of Councilor Harrington,

Mr. McArthur was added to said committee.

Mr. Rockwood, chairman of the committee on counties, from the House, to whom was referred the communication from the Council, entitled an "Act relating to the duties of county surveyors,"

Reported the following as a substitute, "An act pertaining to the duty of county surveyor and recorder."

On motion of Mr. Dame,

The report was received, and the bill read the first time.

On motion of Mr. Rockwood,

The bill was read the second time.

On motion of Mr. Rockwood,

The bill was referred to the committee on judiciary, W. Woodruff, chairman of the joint committee, to whom was referred the petition of J. & E. Reese & Co., reported

"An act granting to Orson Hyde, John Reese and Enosh Bane, of Great Salt Lake City, the right to erect bridges across Carson river, and make roads in Carson Valley.

On motion of Councilor Pratt,

The bill was referred back to the joint committee.

The President added J. W. Cummings to said committee.

D. H. Wells, on behalf of the joint committee on judiciary, reported

"An act in relation to taxes and the collection thereof."

On motion of Councilor Harrington,

The report was received, and the bill read the first time.

On motion of Mr. Wright,

The bill was read the second time by sections.

On motion of Mr. Dame,

The bill was read the third time.

On motion of Mr. Dame,

The bill passed.

D. H. Wells, on behalf of the joint committee on judiciary, reported

"An act in relation to county recorders and the acknowledgment of instruments of writing."

On motion of Mr. Dame,

The report was received, and the bill read the first time.

On motion of Mr. Greene,

The bill was read the second time by sections.

On motion of Mr. Grover,

The bill passed by its title.

The minutes of the morning were read and accepted.

On motion of Mr. Eldredge,

Adjourned till 2 P. M.

Joint session met pursuant to adjournment.

Rolls called, quorums present.

The following message received from the House, under date of Jan. 16, was taken up by consent of the Joint Assembly:

"The accompanying 'Resolution in relation to the Desert Iron Works,' has this day passed the House, and is respectfully submitted for your concurrence."

On motion of Councilor Woodruff,

The resolution was read the first time.

On motion of Mr. Phelps,

The resolution was read the second time by sections.

On motion of Councilor Woodruff,

The resolution was read by its title and passed.

The following message received from the House, of date Jan. 16, was also taken up by consent of the Joint Assembly:

"The accompanying 'Territorial Appropriation Bill,' and Memorial to the Honorable the Senate and House of Representatives of the United States, in Congress assembled,' have this day passed the House, and are now respectfully submitted for your concurrence."

On motion of Mr. Phelps,

The appropriation bill was read the first time.

On motion of Mr. Stout,

The bill was read the second time.

On motion of Councilor Woodruff,

The bill passed by its title.

On motion of Mr. Phelps,

The memorial was read the first time.

On motion of Councilor Harrington,

The memorial was adopted.

W. Woodruff, on behalf of the joint committee, to whom was referred 'An act granting to Orson Hyde, John Reese, and Enoch Reese, the privilege of making bridges and roads in Carson county, Utah Territory,' reported

"An act granting to Orson Hyde, John Reese, and Enoch Reese, of Great Salt Lake City, the right to erect bridges across Carson river, and make a road in Carson county," as a substitute.

On motion of Orson Pratt,

The report received, and the bill read the first time.

On motion of Mr. J. L. Smith,

The bill was read the second time by sections.

Mr. Phelps moved,

The fifth section be amended to read five years instead of ten years.

Division of the House being called for—

For the amendment,

Against it,

On motion of Mr. Dame,

The bill was read by its title and passed.

A communication from the Hon. Secretary A. W. Babbitt, was received and read.

Aaron Johnson presented the following:

“An act to incorporate the Provo Canyon Road company.”

On motion of Mr. Wright,

The report was received, and the bill read the first time.

On motion of Mr. Grant,

The bill was read the second time by sections, and amended.

On motion of Mr. Dame,

The bill was read the first time.

On motion of Mr. Cummings,

The bill was read by its title and passed.

L. E. Harrington presented

“An act to incorporate Big Canyon road company,” which was read the first time.

On motion of W. Woodruff,

The bill was read the second time by sections and amended.

On motion of Mr. Cummings,

The bill was read by its title and passed.

Lorin Farr presented,

“Resolution appropriating money to be laid out on the territorial road in Weber county.”

On motion of O. Pratt,

The resolution was read the first time.

On motion of O. Pratt,

The resolution was read the second time.

On motion of Mr. Cummings,

The resolution was read the third time, and passed by its title.

On motion of W. Woodruff

The joint committee on appropriations were instructed to bring in a general appropriation bill at 3 p. m. to-morrow.

Geo. A. Smith presented

"An act to encourage the raising of flax, hemp, and tame sunflower seed,"

Which was read the first time.

On motion of J. L. Smith,

The rules were suspended, and the bill passed by its title.

D. H. Wells presented,

"An act granting unto Miles and Franklin Weaver a herd ground in Utah county,"

Which was read the first time.

On motion of Mr. Rockwood,

The bill was read the second time.

On motion of Mr. Cummings,

The bill was read the third time, and passed by its title.

A petition from James McLellan and twelve others, of Payson city, dated Dec. 26, 1854, for extension of city boundaries, was read.

On motion of Mr. Wright,

The petition was granted, and the committee on incorporations were instructed to report a bill accordingly.

Mr. Rockwood, chairman on behalf of the committee, to whom was referred

"An act relating to the duties of county surveyors," reported

"An act pertaining to the duty of county surveyors."

On motion of Mr. Grover,

The bill was read the first time.

On motion of Mr. Rockwood,

The bill was read the second time, and passed its third reading by its title.

Do H. Wells presented,

"An act appropriating money for educational purposes."

Which was read the first time.

On motion of Geo. A. Smith,
The bill was read the second time.

On motion of Mr. Stout,
The bill was read the third time, and passed by its title.

L. Farr presented
"An act to incorporate the Weber Canyon Road company."

Which was read the first time.

On motion of Mr. Dunn,
The bill was read the second time.

On motion of Mr. Harrison,
The bill was read the third time.

On motion of Mr. Stout,
The bill passed by its title.

The minutes of the afternoon were read and accepted.

On motion of Mr. Grant,
The Joint Session adjourned till to-morrow, at 10 A. M.

Benediction by the Chaplain.

On motion of Mr. Cummings,
The bill was read the third time, and passed by its title.
A petition from James McElhenny and twelve others, of Payson, for extension of city boundaries, was presented.

Joint Session met pursuant to adjournment.

Rolls called, and quorums present.

Prayer by the Chaplain of the Council.

L. E. Harrington presented the following motion:—

"That the joint committee on judiciary be instructed to amend the 6th line of the third section of the 'Act prescribing the manner of assessing and collecting territorial and county taxes,' by striking out the words 'a half,' and substituting the word 'one' in place thereof."

On motion of Mr. Phelps,
The bill was read the first time.

The motion did not prevail.

T. S. Smith, chairman of the committee on petitions, reported,

"Memorial to Congress for a further appropriation for the military road from Great Salt Lake City south, through Provo, Fillmore, Panguitch, and Cedar cities, to the eastern boundary of California."

On motion of Mr. Phelps,
The memorial was adopted.

Mr. Phelps, of the committee on petitions and memorials, from the House, reported,

"Memorial to Congress for \$25,000 to complete the south wing of the State House, at Fillmore city."

On motion of Mr. Dame,
The memorial was adopted.

A petition from David Canfield and four others, of Provo, for the appropriation of \$500 as compensation for rebuilding the Provo bridge, was read.

On motion of Mr. J. L. Smith,
The prayer of said petition was granted.

Mr. Greene presented

"Resolution for educational purposes in Provo city."

On motion of Mr. Grover,
he resolution was laid on the table indefinitely.

J. L. Smith, chairman on behalf of the special committee from the House, on the subject of estray pounds and estray laws, reported

"That the subject requiring considerable attention, and owing to the session being near a close, recommended the matter be laid over till next session."

On motion of T. S. Smith,

The report was received and the committee discharged.

Hon. Orson Hyde having been nominated by the Governor,

On motion of Mr. Grant,

Was unanimously elected probate judge of Carson county, with instructions to organize speedily.

Mr. Aurelius Miner having been nominated by the Governor,

On motion of Mr. Grant,

Was unanimous elected notary public for Carson county.

On motion of Geo. A. Smith,

The committee on judiciary were instructed to report an amendment to the judiciary act making Carson county a judicial district, and to attach Iron and Washington counties to the second judicial district.

The minutes of the morning were read and accepted.

On motion of Mr. Grant,

Adjourned till 2 P.M.

Rolls called, and quorums present.

Mr. McArthur, on behalf of the committee on incorporations, reported

"An act to incorporate Pleasant Grove city."

On motion of Mr. Dame,

The bill passed its first reading.

On motion of Mr. Dame,

The bill passed by its title.

Mr. S. W. Richards presented

"An act granting to Heber C. Kimball, Jedediah M. Grant, Samuel Snyder, and their associates, the right of ground for herding."

Which was read the first time, and passed.

On motion of Brown,

The bill passed its second reading.

On motion of Mr. Dame,

The bill was read the third time by its title and passed.

L. E. Harrington, on behalf of the joint committee on incorporations, reported

"Resolution to extend the jurisdiction of the municipal authority of the city of Payson."

Which was received, and read the first time.

On motion of Mr. Phelps,

The resolution was read the second time.

On motion of Mr. Grant,

The resolution was adopted.

Mr. Benson, chairman of the committee on appropriations, reported

"General appropriation bill."

Which, after the usual readings,

On motion of Mr. Grant,

Was unanimously passed.

Mr. Benson presented,

"Resolution appropriating moneys to the Deseret News office," which,

On motion of Mr. Phelps,

Was unanimously adopted.

On motion of Mr. J. L. Smith,

The "resolution specifying the time of holding United States courts in the several judicial districts," adopted on the 10th inst., was called up for reconsideration, and;

On motion of Mr. Stout,

The resolution was referred to the committee on judiciary.

A. Carrington, on behalf of the committee on judiciary, reported back the above resolution with amendments, which were agreed to.

"An act to amend 'An act relating to the United States courts for Territory of Utah. Approved Jan. 13, 1854,' was then taken up.

The bill being read three times;

On motion of Mr. Phelps,

Was passed by its title.

On motion of Mr. Cummings,

The resolution adopted on the 4th inst., "assigning the United States judges to the several judicial districts,"

Was taken up for reconsideration, and read.

On motion of A. Carrington,

Said resolution was re-adopted, without amendment.

Mr. Greene presented

Petition of John W. Berry and 56 others from the upper settlement on Spanish Fork, Utah county, dated Jan 15th, 1855, which was read.

On motion of Mr. Grant,

The prayer of the petitioners was granted, and the members from Utah county were appointed a special committee to draft a charter similar to the Pleasant Grove charter, excepting the boundaries and name, with instructions to embrace in said charter the boundaries named in said petitions.

Mr. Cummings reported

"Resolution electing the officers of the Utah Penitentiary."

Which was read.

On motion of Mr. Dame,
The resolution was adopted.

A. Carrington presented

"Resolution apportioning a Representative to Carson county,"
Which was read three times, and,

On motion of Mr. Phelps,
Was unanimously adopted.

Mr. Greene presented

The following "resolution in honor of the memory of the late Hon. Willard Richards," which was read.

"Resolution in honor of the memory of the late Hon. Willard Richards:—

"Resolved by the Governor and Legislative Assembly of the Territory of Utah,—That we hold in grateful remembrance the Hon. Willard Richards, President of the Council for the winter of 1863-4.

The friend and associate of the Prophet and Patriarch in peace, and shall we say 'their companion in assassination?' 'Yes.'

"We have in remembrance his cheering influence in times of trouble and peril—the sweet associations of his instruction to the saints, and wisdom in legislation;—he whose constituents comprised the world, and who legislated for the redemption of Israel."

On motion of Mr. Stout,
Was unanimously adopted.

Mr. Greene presented

"Resolution for convening the Legislative Assembly and concerning the library,"

Which was read, and,

On motion of Mr. J. L. Smith,
The resolution was adopted.

A. Carrington presented

"Resolution in relation to the Utah library,"

Which was read, and,

On motion of Mr. Dame,
Was unanimously adopted.

Mr. J. L. Smith presented

"Resolution defining the boundaries of Alpine city," which was read, and,

On motion of Geo. A. Smith,
The resolution was unanimously adopted.

On motion of Geo. A. Smith,
The members from Utah county were appointed a special committee to draft a charter for Alpine city, similar to the Pleasant Grove charter, excepting the boundaries and name.

Mr. Grant presented the following resolution:—

“Resolution tendering vote of thanks to the Hon. A. W. Babbitt:
“Resolved by the Governor and Legislative Assembly of the Territory of Utah, That we return to the Hon. A. W. Babbitt, our sincere thanks, for his kind, accommodating and gentlemanly treatment toward us during this session of the Legislative Assembly.”

Which was unanimously adopted.

On motion of Mr. Stout,

A vote of thanks was unanimously tendered to President Heber C. Kimball and Hon. J. M. Grant, for the able, wise and kind manner in which they have discharged the onerous duties devolving upon them during this session of the Legislative Assembly.

The minutes of the afternoon were read and accepted, when,

On motion of Mr. Phelps,

The Legislative Assembly adjourned to meet in the State House, in Fillmore city, on the second Monday in December next, at 10 o'clock a. m.

Benediction by the Chaplain.